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ABSTRACT

A study explored the changes in the federal role in education prior to and after the May 1980 Implementation Plan for the U.S. Department of Education (ED). The documents related to the creation of ED determine if any change in the federal role in education was expressed through program components included in the new ED, and those programs not included. First, the history of past efforts to create a cabinet-level Department is presented. Second, the components of the ED described in the Implementation Plan of May 1980 are then outlined. Third, the data and transcriptions from the hearings relating to specific statements about education programs are presented. Last, an analysis of the data summarizing actual results from the reorganization suggests some implications of these changes. The creation of ED was of real worth, especially if its potential for evolving as the central focus for formulating education policy is considered. Although several new programs were added to the new ED, the administration of President Carter fell short of its goal to combine all important education programs into a single organization. Special interest groups were active and effective in protecting programs when such groups believed inclusion of its "program" in ED would gain nothing for their program agenda. Education programs in sufficient numbers were moved to the ED to suggest that the final configuration had potential to have an impact on federal education policy and thus affect local, state, and regional education performance. End notes are provided for each chapter. (Contains 28 references.) (JMD)

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An Administrative History of the Creation of the U.S. Department of Education May 1980:

The Federal Role in Education Prior to and After the May 1980 Implementation Plan Creating the U.S. Department of Education

A Research Report

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Abstract

THE FEDERAL ROLE IN EDUCATION PRIOR TO AND AFTER THE MAY 1980 IMPLEMENTATION PLAN CREATING THE U.S. DEPARTMENT OF EDUCATION

This study explores the changes in the federal role in education prior to and after the May, 1980, Implementation Plan for the U.S. Department of Education (ED). The documents related to the creation of ED determine if any change in the federal role in education was expressed through program components included in the new ED and those programs not included.

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Chapter I

Introduction

Education has long been recognized as invaluable, even priceless. The power of the United States has long rested on the broad base of its literate masses. The development of the revered place education has in America is part of the reason why the country's feelings and beliefs about the importance of education have never been disputed or challenged. Either opposing the education of handicapped or the education of special populations, or education in general, or the making of any aspect of education a political focus to the harm of the nation's children is liable to result in a backlash from the public. The citizenry of the United States has no doubt about the intrinsic value of education.

Since education functions are so large and all- encompassing, it is natural that they would become politicized. While the function of education is basically altruistic, the processes can become politicized by individuals and groups. Any function or activity of government that has a broad effect as education will have proponents who want to direct the activities of the function toward the proponents' goals so that the function has the goals of the proponents. Some internal dynamics have enlightened the role sought by these groups. Education as a goal-directed activity produces high return--a solid, law abiding citizen.

Since colonial times the U.S. educational system has been rooted in local control. As education grew in importance and breadth, the local school board held the policy-making reins. Largely during the Fair Deal of Harry S. Truman, with the coming of a large School Lunch Program and aid to areas adversely affected by federal activities in local jurisdictions, local school boards were chosen to participate in order to meet local demands far beyond their meager means in terms of available and ready money. By the end of World War II, local districts which received impact aid funds for federal activities under the Lanham Act were comfortable and accustomed to federal aid to education. The day-to-

day operation of the schools was still in their hands, and the federal requirements attached to the incoming federal money, by and large, fitted the goals and objectives of the local districts. Before long, school systems were answering the needs of their constituents for better schools and larger curricula.

With the infusion of federal money came the special interest groups, which are always there to monitor and try to control government functions. As with any important function--and education of children is almost at the top of the list--followers developed. Education at the local and state levels is not only an important activity; it is also big business. From the education function and ancillary support services spewed an ever widening group of functionaries who were directly affected by the policy established by decision makers. The inter-relationship among educators, administrators, support services, construction, printing, colleges for the preparation of education professionals,and not least of all the local and state Boards of Education, is carefully balanced so that the goals and objectives proclaimed at the local and state levels by and large get accomplished. Occasions arise where crises do occur, but over time the balance is restored. Still the focus of power and decision is local, not federal, even though select education programs are funded totally by federal moneys (i.e. Head Start). When serious planning was done to create a Cabinet-level Department of Education, the interrelated education networks would be affected seriously if such a department was allowed to be established without local input.

President James Earl Carter (hereinafter cited as Jimmy Carter) had as a campaign promise the establishment of a self-standing Department of Education. Believing that the time was right, the President put his staff to work on getting a bill submitted in Congress that could create such a department and give education what he considered to be its rightful place in American society. The Administration spokesman for the effort of creating a Department of Education was the Director of the White House's Office of Management and Budget, John McIntyre. McIntyre was the Administration's standard-

bearer during the two Congresses that subsequently considered the bill to create the Department of Education. McIntyre testified at every hearing.[1]

Each vested interest wanted as it does with any important piece of legislation to shape the final configuration of the Department of Education to support its own goals, adjectives and current policies. The administration wanted to consolidate all education programs into a single Department of Education to end fragmentation and poor political visibility for important education programs, to ensure equality in access and civil rights, and to improve basic program management. The special interest groups were split over McIntyre's views. Congressmen were also split and were only mildly influenced by what they heard at the hearing table.

Statement of the Problem

Basically, proponents and opponents of a separate Department of Education disagreed on the basic premise behind the creation of the Department. The issues to be studied and analyzed in this dissertation revolve around the question, "Was there in fact any real, substantive change in the education function, or role, by the creation of a self-standing Cabinet-level Department of Education? This study will address the question by looking in detail at the reasons given in the testimony why the Department of Education was created and by comparing the testimony with the organization of the Department of Education as created on September 1, 1979, by Congress and by comparing the change in placement of education functions in the Federal government from the previous to the new organization.[2]

In any reorganization of the magnitude proposed by creation of the Department of Education, there are apparent changes in the power structure and in the processes used to execute the government's business, but the key point is--did any substantive change occur? Were John McIntyre and the administration right in their belief that a difference would be made by consolidation of the major education programs into one coordinated whole? To

be able to more carefully analyze this shifting of education programs and to accurately judge the real degree of change or goal attainment, a procedure must be followed.

Would the education programs be better managed, funded, or be given better visibility as a Cabinet-level department, than they would be as fragmented and scattered throughout the federal government? In answering this question one has to look first at the apparent changes and, second look at the content changes. From these one will be able to judge if McIntyre was right and the creation of a Department of Education did band together the important education programs, or if McIntyre was wrong and the final array of programs in the new department were merely apparent changes, with no important programs included.

Given the primary evidence found in the hearings and reports, the basic purpose is to see if the federal role in education was strengthened, weakened, or exhibited no change as a result of the creation of the Department of Education.

Important secondary purposes include:

1) While reorganization studies abound in professional literature, these studies largely address the effects of change in private organizations. Little literature is available on reorganization in the public sector. The creation of a Cabinet-level department affords a rare opportunity to study the processes, rules, and procedures used in forcing a new public organization. The importance is enhanced by the size of the reorganization. The opportunity to study the reorganization of a department-sized organization is rare. The undercurrents of politics, self-interest, program integrity, budget, and personnel meshed together in such a large undertaking is a fine opportunity to see the various interests clash and maneuver.

2) A predominant amount of the maneuvering is done in public, unlike private organizations which plan reorganization totally in private with no public responsibility or accountability. In the creation of a new, large, department-sized organization out of small scattered programs, bureaus, and offices, the maneuvering is done largely in the public

arena of Congressional hearings. The vested interests did not wait until the hearings to speak their piece but immediately developed their positions.

3) Since reorganization is not a frequent occurrence, a rare opportunity is provided to look at the details of the apparent rules used by all interests in presenting their views. Rules here are defined for either proponent or opponent of the Department of Education as the techniques, rationality of arguments, types of arguments presented, and types of documents used to back up any rationale. A framework of procedures is provided for the "contestants" in the procedures and rules of order used by the Committees, and the basic law governing reorganization. While nothing spectacular is expected to be discovered that will revolutionize public reorganization, these techniques will be noted and compared to the overall issue. Some of the processes used to put the department together in a public arena will be available for scrutiny.

Theoretical Base

The theoretical base of this study supplied the foundation concepts and theories used to properly interpret and analyze the testimony given at the hearings. The base is critical to the proper interpretation of whole of the testimony in terms of drawing accurate conclusions. The primary secondary work used in this study was Luther Gulick's "Notes on the Theory of Administration," and to a lesser extent Frederick C. Mosher's Governmental Reorganizations.[3]

Gulick was used to provide a structure to the organization method. The famous acronym, POSDCORB (Planning, Organizing, Staffing, Direction, Coordination, Reporting and Budgeting), is still used today by senior decision makers. When this acronym was prominent and considered a current tool in management, today's decision makers were at entry level positions being taught to use this concept in their work. Age has not eroded the value of Gulick's concept. In this study, Gulick's concept is a central part of the thinking pattern of the decision-makers who developed the final organization plans for

the Department of Education. These decision-makers provided input into the testimony for special interest and administration witnesses.

Gulick researched the heart of large organizations; he studied and wrote about the why and how work is divided in organizations. The single issue surrounding the problems in functioning organizations revolved around the coordination of work among the internal tasks and the forces pressing in on the organization. As a part of this curiosity of the problems of coordinating work, Gulick evolved two central ideas about how work is coordinated. The first way to coordinate work is by the dominance of an idea. When an organization is dominated by an idea it has been found that the workers have a high degree of intellectual commitment to the basic purpose of the organization. The workers of their own accord fit their tasks into the whole with enthusiasm. An example of this type of organization would be a volunteer organization or a religious commune.

The second way to coordinate work is by organization. Workers and units of workers are placed in a structure of authority so that the work can be coordinated by appointed superiors reaching from the top of the organization to the bottom. Gulick pointed out that the more incremental the development of an organization into a large organization the less likely the organization would have coordination problems. Conversely, the creation of a large organization out of many pieces does cause problems in coordination.

Gulick developed a method of dividing work that is still used today. He said that work was designed to accomplish its goals along four general lines. 1) The work could be divided in such a way to address clientele. For example, the organization could be structured to better aid in the needs of specific people, as Indians, handicapped, veterans, etc. 2) The organization could be set up to attend to the needs of geography. 3) The organization could be set up to accomplish its goals by general purpose, in this case to educate a set level or percentage of people. 4) The organization could be set up to address

the processes of the programs: budget, personnel, computer, contracting, legislation, operations, etc.

Limitations

Mosher affirmed that case studies are difficult to confidently generalize from, that is, while a structure of analysis can be developed using the data provided; how many other organizations does this same structure of observations apply to?

Mosher did provide a useful tool in suggesting the method with which to control and organize the information used. His case study method had some value, in particular, his method of setting up the data and assorted facts for organized analysis. By studying his case study method, one is able to adapt that structure to this study.

It is expected that this information and the resultant observations will provide foundation information to other efforts. This is a foundation study, an effort that will be used as a springboard to more detailed observation and analysis adding any intermediary history of events to additional works.

Definition of Terms

A first essential in any research project of this type is a specific and understandable set of definition of terms. This will help in narrowing the loose and careless terminology found in organizational research.

Terms:

Organizations: Official governmental administrative agencies. The term includes the structure, purposes, functions, personnel, responsibilities and activities, resources, communications and operating procedures.

Reorganizations: Purposeful changes in purpose, functions, procedures, assignments and relationships in organizations. This includes recognizable change in the roles, relationships and behaviors of some or a great many people. This does not include:

changes in program or activity that do not importantly modify structure and relationship of a minor nature to which the organization can readily adapt itself.

Standard Process Unit: A management process found in a complex organization that for the purposes of this study is large enough to be split off from another organization and added to a new organization without loss of ability to perform. The units as outlined in this study, while important, do not contribute to the organization direct goal accomplishment. An example of a standard process unit is personnel or budget office.

Fixed Programs: A program affixed to the new organization having the characteristics of having a small but vocal constituency, small but predictable budget, and does not contribute directly to the organizational goal accomplishment. The fixed programs are usually related to the overall goal of the organization. For example, Howard University is a fixed program. It has educational functions, a well organized constituency, a small budget, and does not contribute directly to the goals of the new proposed department.

Organization of the Study

This study is traditionally organized. This chapter is a series of introductory statements and theories that will guide the development of the succeeding chapters. Chapter II is a review of the literature outlining a historical perspective and a detailed review of related organization theory and practice. Also in Chapter II is a look at the three forces impacting on the creation of the new department and their relationship to the historical traditions of American education and administrative theorists. Chapter III, is a detailed look at the approach used in the research methodology. Chapter IV has the detailed observations of the finding of the hearings related to the establishment of the Department of Education. This the largest chapter due to the intricacy of the programs being debated. Chapter V is a review of the entire study in terms of results of the reorganization in comparison with the stated goals of administration and a look at the

reality of what organization did evolve out of the fragmented pieces of education program spread throughout the federal government. This final chapter will offer observations and suggestions as to the possible meanings of the creation of the Department of Education (ED).

A Bibliography contains all sources used in this work and a series of Appendices have been attached to assist the reader in visually seeing the before and after of the education functions. An additional appendix has a detailed list of programs intended for inclusion in the proposed department. Another similar appendix is present for the programs that did make the final cut and were added to the new Department of Education.

Summary

This chapter is the first of five. This chapter has outlined the general importance of education in the United States. A foundation has been laid indicating the historical position of education, that of being under local control. Early change is indicated with the end of World War II and the infusion of large amounts of federal dollars. Special interest groups formed in an effort to control policy and in turn control the strings of the federal purse. President Carter filled a campaign promise by sponsoring legislation to create a new Cabinet level Department of Education.

The controversy surrounding the creation of a new department dealing with education programs revolved around the concern about how effective the department would be if only small and 'leftover' education programs are transferred? This study looks in detail at the reasons given in testimony why the department was created. The theoretical foundations for this effort are supplied primarily by Luther Gulick. A point of view was helped by Frederick and his procedures for case studies. Because Mosher indicated the fact that each case study is different and generalizations are replete with danger, hopefully, this effort will provide some insight into possible future endeavors.

Chapter II

Review of the Literature

Public organizations change continuously for the same reasons that private organizations change; the organizations grow, add responsibilities, evolve into new directions, and undergo pressures from outside interests. In a study like this one the changes that are promised and the changes that are wrought sometimes are different. While the behavior of the public organization under study cannot be generalized, the behavior can be identified and analyzed. The research material and research sources used in the study are predominately primary sources. The value of the results is heightened by the availability of an abundance of primary material.

In this chapter pertinent literature will be reviewed which provides the background and foundations for this study. First will be an historical perspective relating the background of education in the United States. The Colonial Period to Post World War II are the benchmarks. It is important to understand the historical traditions and heritage that moved education in the United States from a local independent function to a modern local-federal education activity. The understanding of this milieu will make clearer the testimony and points made before the Congress in the Hearings over the proposed ED.

Second, there is a discussion of the basic organization theory and practice used by one of the dominant organization theorists today, Luther Gulick. Lastly, there were three participating forces that had a direct influence in shaping the proposed new Department of Education. The three forces, Executive Branch, Congress, and Special Interest Groups, working at times toward the same goals but more often than not, working against each other and for their own narrow purposes. It is with three forces that hinged the fate of the education department. These forces were affected by the historical tradition of local control and accessibility and the influence of the organization theorists who developed the theories utilized by the people making the education program placement decisions.

Historical Perspective

At the time of the creation of the Department of Education, educational functions in the United States were scattered throughout several federal Cabinet departments. To place the later decisions in perspective, a review of the evolution of the American system of education follows.

Colonial Days to the Civil War

American educational structure, unlike any other in the world, was developed on the basis of state, local and church initiatives. During colonization, the independence of each settlement resulted naturally in local control of educational functions. Most early relationships between government and advocates of public education were positive in that Colonial laws and statutes supported public education. For instance, an early law of the Massachusetts Bay Colony (the Massachusetts Law of 1647), stipulated that each community of 50 households or more was required to specify and pay a salary to one teacher and that each community of over 100 families was required to provide a grade school.[1]

Steeped in local tradition and congregational religion, the Founding Fathers subsequently elected to keep education in local hands even though other nations made their educational systems integral branches of central government. The approach of local tradition in education was later reinforced by the Tenth Amendment of the Bill of Rights (ratified in 1791), which reserved to the states those powers not specifically enumerated in the Constitution as belonging to the federal government.

Prior to the Civil War, little legislation on the national level even addressed education. The Northwest Ordinance of 1787, which authorized the sale of the public domain, provided for a parcel of land from each section to be set aside for educational purposes. In 1862, the Morrill Act established the land grant college system to encourage agricultural and mechanical arts. Additional provisions of this act provided sections of land to elementary and secondary education. Although this Act forced the states to meet

certain requirements to qualify for grants, local educational authorities in large measure continued to determine the extent and content of school programs.

The states grew stronger than prior to 1860 in their control of their own local educational systems. Growing economic, professional, religious, commercial, social, urban and political forces in American society conditioned local educational policy operations.[2] The states, in effect, erected a high fence around their local school systems with a sign on it proclaiming "KEEP OUT!"[3]

With the federal government's main impact limited to grants for educational purposes, education was regarded as a strictly state and local preserve. Any suggested increase in the federal role was feared--and fought.

Civil War to the New Deal

In 1867, a first Department of Education, a non-Cabinet entity within the Interior Department, was established by Congress during President Andrew Johnson's administration. Its legislative mandate was:

> [C]ollecting such statistics and facts as shall show the conditions and progress of education in the several States and Territories, and of diffusing such information respecting the organization and management of schools and school systems, and methods of teaching, as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country.[4]

Congress remained cautious about federal tampering, and the department was downgraded and renamed the Bureau of Education in 1869. A year later it was again lowered in status and called the Office of Education.

A major factor in the loss of status was that the first secretary of the department was so inept and bureaucratically clumsy that he caused the department's immediate transfer into near oblivion, where it remained until President Warren G. Harding sought to elevate it again into a department in 1922.[5]

The next legislation with an effect on the federal government's role in the educational system was the Smith-Hughes Act of 1917. Passed under the specter of World War I, it established a system of financial support to vocational education in secondary schools. The moneys provided to local school systems through this act were small and the degree of federal intervention so minor that little or no concern was voiced by affected school systems about this apparent interference in local self-determination. These federal--and subsequent state--grants for vocational education unquestionably influenced local resource allocation for education.

Because sufficient latitude was left to local school districts in implementing the details of the Smith Act, despite dramatic increases in Federal and state aid of Smith-Hughes type over the next 35 years, the programmatic and policy making power of the school boards remained intact.

In 1922, President Harding, hoping that the Congressional support shown by the passage of the Smith-Hughes Act signaled a growing interest in a stronger federal role in education, sought to elevate the status of the Office of Education. A Department of Education was proposed to be included in Harding's plan to reorganize the Executive branch of government. His efforts went unrewarded, however, as he could not overcome Congressional objections. The plans were abandoned with his death.[6]

In 1932, President Herbert C. Hoover tried again to raise the status of the Office of Education. Hoover was opposed to federal control of education, but during a campaign to combat illiteracy in rural areas he found education functions to be located in five different departments. Hoover then wanted to consolidate these separate education programs and end the fragmentation by putting them all in the Interior Department. His plan met with strong Congressional opposition, however, and he did not pursue the matter.[7]

The Office of Education remained an autonomous agency within the Department of the Interior. Its chief functions included gathering and disseminating educational statistics, preparing numerous routine reports, and providing consultant services to state and local

educational agencies. No routine of aggressive technical aid to the states existed. Few grants programs existed; the technical assistance consisted of advice when a local jurisdiction requested it.[8]

The New Deal: A Desire for Federal Help

The New Deal was a watershed, or high point, of American bureaucratic development. High levels of unemployment, businesses and personal and business uncertainty called for unusual action at the constituent level--direct aid or help. President Roosevelt lobbied into law a whole new system of programs that brought direct or indirect relief to those who needed it. The New Deal ushered in a fundamental change in public attitude regarding help from the federal level--including help for education.

Under President Roosevelt's "Reorganization Plan of 1939," the Office of Education was moved from the Department of the Interior to the newly created Federal Security Agency (FSA). This move was recommended to Roosevelt by advisors on federal reorganization, one of whom was Luther Gulick. Gulick made his recommendations based an the theory that the bureaus dealing with the special services given to the people were too scattered throughout the federal structure and should be brought together to further increase supervision and coordination efficiency.[9]

This organizational arrangement remained in effect for the next twenty-four years, through World War II and subsequent boom years, a time which would bring many problems based on the educational needs and sociologic upheaval of a booming population.

Post World War II

Following World War II large sums of federal money were pumped into education as the federal tax base grew stronger and appropriations from Congress continued. The Serviceman's Readjustment Act, better known as the G.I. Bill of Rights (1946), gave returning veterans many benefits, including the right to a government-supplemented education. Its enactment gave a preview of what was to come. This program was run by the Veterans Administration and the flood of students to post secondary system pumped

large sum of money into local school systems. New programs developed out of the increased federal money were simply welded into the existing structure. This resulted in:

> . . . the creation throughout government of scores and eventually hundreds of new programs that channeled Federal funds to educational institutions effectively altered the structure of relationship between those institutions and the Federal government.[10]

The Primary and Secondary Schools: The baby boom that followed the return of the war veterans began a cycle of ever expanding needs and requirements of educational systems. The federal government's interest in public education at the primary and secondary school level became increasingly visible.

The movement of the members of the baby boom through the middle school and high school levels toward college demanded a vast increase in the capacity of educational facilities and financial support for them. In 1940, only $3 billion was required to satisfy the educational need. By 1976, the need for facilities and education funds for local elementary, secondary and post-secondary schools jumped to over $100 billion.[11]

The population of the schools grew too fast for the communities and schools systems to administer facilities, personnel and new programs properly. Each year the budgets for local school needs grew; more money was required to keep up with the need for entire school complexes and the facilities to staff them. Overburdened state, local and private resources were caught in the middle. On the one hand, these school systems wanted to retain their autonomy. On the other, constituents were applying political and social pressure on local school boards to provide the facilities.

By the late 1950s, local and state educators were turning to Washington for help. Local communities, despite the fear of losing control of their systems, accepted the federal money made available to them. The speed of the population growth and the for demands funds made it possible for local control to go untouched.

Federal assistance seemed promising to the local education agencies because of the easy access to the money and because the population explosion and economic expansion was generating a concomitant expansion in Federal aid of over $6 billion a year.

The Department of Health, Education and Welfare: The Department of Health, Education and Welfare (DHEW) was created in 1953 from the old Federal Security Administration. Smaller programs in independent agencies and Cabinet departments were added to the old FSA programs, laying the groundwork for one of the largest federal departments.

The National Defense Education Act of 1958 (NDEA) and the Elementary-Secondary Education Act of 1965 (ESEA) were legislation which added to the functions of DHEW. These important pieces of legislation were direct answers to the pressure of dramatic change taking place in U.S. society. Answers to the problems of science and of society could be found through a strong education program. Having a strong education tradition, the public supported appropriations and legislation for education.

The issues which emerged in the 1960s, including integration, education for the economically and culturally disadvantaged, led to a growing role for the federal government in education. The growing role of the federal government unquestionably affected the autonomy of the local school systems and altered forever the tradition of federal aloofness. All branches and levels of government became deeply involved in education in an uneasy and complex partnership. Although the collective aim of all was to develop consistent and collective educational priorities, education became intermeshed in the federal bureaucracy and education programs with clear responsibilities at each government level evolved from a 'layer cake' into a 'marble cake' where responsibilities overlapped from one level to another level of government.[12]

A Series of Studies: During the 1960s, a series of studies of the federal organization were commissioned by Presidents Johnson and Nixon. Presidents Johnson and Nixon were the first to discuss a new organizational role for education as a federal function.

Proliferation of education programs through infusions of federal money caused President Johnson to form a task force chaired by John Gardner, President of Carnegie Corporation, to study the organization of federal domestic functions in the executive branch. The report, submitted November, 1964, recommended a Cabinet-level Department of Education. The major conclusion of that group was that:

> There should be at the highest level of Federal government an agency adequately staffed to carry through penetrating analysis of current problem and needs, to lay down the broad objectives of government action, and to develop solid programs in pursuit of those objectives. It would <u>not</u> be the purpose of such an agency to direct or control American education--no Federal agency ever could or should do that--but to introduce enough coherence into Federal activities so that tax-payer dollars spent on education are well spent.[13]

The final recommendation of the Task Force on Education was that the function of education should be raised to the executive or presidential level and that a Council of Educational Advisors should be created to guide the President in education policy-making. The Task Force was against taking the education function out of OE, for there was no higher level in which to place the education function. Merely moving OE to another federal department would not solve anything. A completely new organization should be built using the scattered educational functions as fodder for structure. Shortly after the Task Force completed its report, Gardner was appointed as the Secretary of the DEW in 1965.

Secretary Gardner spent his tenure trying to create a super-department of HEW, with three sub-cabinet organizations akin to department level in size and responsibility. Gardner sought to have the secretary serve as coordinator and chief policy-maker, leaving the operations to sub-department assistant secretaries of the units.

In 1965, Secretary Gardner asked management consultant John Corson to head a study of the internal structure of the HEW and to make recommendations regarding the best organization design for HEW, given the Department's diverse goals and missions.

Corson and his group returned with the recommendation to develop the department into a "super–department" made up of three sub-cabinet departments, with the Office of the Secretary setting policy and providing supervision or guidance. The three departments would be called Department of Education, Department of Health and Department of Individual and Family Services. The plan was designed to strengthen the secretary's ability to lead his department. Further, the plan would improve the prestige and visibility of the executives in charge of the individual functions, improve the ability of the government to attract first-rate talent into its executive ranks, and for the first time, have a single, identifiable focus for national policy and leadership for the functions, particularly, in this case, education.[14]

The Corson plan was quickly dispensed with. The Bureau of the Budget was adamant; there be no sub-cabinet designs. Such designs, would dilute the meaning of the word "department" until it had no more significance at the national level than did the word "bureau."

There was more to this rejection than was first evident. Another (secret) commission, formed by President Johnson, had performed a similar study. Arguing against a design as proposed by Corson; the Heineman Commission said the Corson design would give too much strength to each of the separate functions of health, education and welfare. Staffs would drift apart and begin competing with each other instead of cooperating in the coordination of program delivery at the local level. Sufficient competition existed within HEW without establishing separate but equal organizational units under a broad umbrella of a super-department.

The Heineman Commission recommended the functions be divided instead among three Under Secretaries, each having a distinct functional responsibility, with enough reserve power to perform the individual department's mission with some level of independence. A result of this study, the position of Assistant Secretary for Education was

created in 1965 to prevent the drifting apart of the disparate functions of the super-department.

In 1969 , President Nixon appointed Roy Ash, then President of Litton Industries, to head a study to examine the entire structure of the federal government and to develop recommendations for a more efficient structure. Ash, in his 1970 report, recommended the span of control of the President be reduced to prevent his becoming mired in the administrative detail of the executive branch and to free him for more important policy-setting tasks. The education function would be buried three layers into the bureaucracy under the Administrator for Human Development, which in turn was under the Department of Human Resources. President Nixon instructed the Bureau of the Budget to implement these recommendations to restructure the federal bureaucracy. These orders never proceeded beyond staff plans because President Nixon never persuaded Congress to approve his reorganization plans. Watergate ended reorganization.

By the mid-1970s, the federal government had appropriated and expended large amounts of money for education through NDEA and ESEA acts in an effort to achieve the goals of developing a society with high literacy rate among all the population groups and to make efforts to ease social problems. However, from these programs a series of tensions developed revolving around the problem of either perceived or real federal influence over education. This tension came from the power and influence achieved at the federal level through the myriad education program dispensing moneys to local and state levels.[15]

Opponents to ED saw the creation of the new department as interference in local school affairs. Opponents believed that the federal role in education should be confined to distributing either seed money for stimulating community controlled educational systems or funds for solving specific local crises. The administration's budget expressed the above view in 1977:

> the provision of basic educational services in the United States is essentially the responsibility of the state and the local authorities. The federal role is one that

strives to stimulate and encourage improvements in the educational process through reform, innovation, capacity building and research, and assuring equal access to educational opportunity.[16]

The basis of a long-standing tension between the local school system and the state authorities answerable to their own constituencies, and the federal responsibility for aggressive and dynamic leadership that strives to persuade through the power of the federal purse, is shown in the quotation. Amelioration of the tension would come only when both sides were able to clearly understand each other's legislative and legitimate purposes, rights, problems, and standards of achievement on the part of the three branches of government--at both the federal and state levels. Further, cooperation and mutual understanding among academia, the many local school systems, and their local governing bodies, the school boards, and their governments is required.[17]

By the late 1970s, education as a federal function was leaderless.[18] The many education programs were so fragmented and scattered throughout the federal bureaucracy that no one person had the combination of power, responsibility, prestige, resources, time or influence to be the acknowledged leader of the education programs. All the programs--even the large government educational programs--individually had very limited and objectives. No one set forth a fully encompassing view of what the federal education endeavor should be.

> No person has the opportunity to look holistically at the educational institutions and systems of the Nation and the education program of the Federal government with the purpose of trying to develop a coherent and consistent philosophy of relationships between the federal government and the educational systems. To what extent and in what manner such a philosophy might be developed, articulated and made effective, or at least influential, is a question worthy of the most careful thought . . . this leadership challenge may require some basic new concepts of public administration.[19]

Campaign Promises: During the presidential campaign of 1976, President Ford and Governor Carter both expressed support for the consolidation of the many education programs into a cohesive whole. Ford, less committal of the two, said that he favored less

federal regulation and a maximum of local control of the education function. He favored the use of block grants, a type of general aid, as a means of lessening the federal control over the education systems. Carter, on the other hand, was positive about the benefits of solidifying the federal role in education, saying:

> A Department of Education would consolidate the grant program, job training, early childhood training, and many other functions currently scattered throughout the government. The result would be a stronger voice for education at the Federal level.[20]

Carter supported the concept of a Department of Education that both would serve as a central focal point for the myriad of educational programs, and would command the prestige policy-making authority that would enable the department both to act and to obtain the cooperation of special interests and local officials. With the election of Jimmy Carter, the move was on to develop a Department of Education post-haste.

Living up to his campaign promises, President Carter pushed for a Cabinet-level Department of Education during his administration. After much debate, the 95th Congress finally acted in 1979. The DHEW was split into two Cabinet departments-- The Department of Health and Human Services and the Department of Education. On September 9, 1979, a Cabinet-level Department of Education was established.

History and tradition as outlined above suggest that great strength has derived from the evolution of local control of education and the willingness of this local control to accept help when it became available through developing categorical programs.

Evolving with this strong local tradition was a body of organizational knowledge that would give organizational workers the knowledge, skills and abilities to shape and design large structured organizations.

Theory of Organizational Design

Though advanced theories on administration and re-organization are readily available, the public administrators who initiate and implement changes in public organizations are seldom influenced by them. Most senior managers in the government

attended school before the advent of the more current theorists. They are more influenced by the old classical theorists like Luther H. Gulick and Henri Fayol. In particular, public executives were influenced in their work by Gulick and his process of controlling work and the workforce.

Both the DHEW and the new department were organizationally constructed using basically the same principles. Below is a discussion of both Gulick and the legacy left in ED. A careful look at these theories is necessary because the organizers, while helped by the classical method of organization, were also limited by the same methods; no true streamlining was in evidence, only an apparent rearrangement of the boxes on the organization chart.

That change is inherently good, or brings about improvement of efficiency, seems to be a part of the impetus that gave a groundswell for creation of the ED. Other reasons were cited, of course, but it appears that change for its own sake was an important motivator.

Change can be apparent or substantive in nature. When change is apparent it is usually more motion or busy activity than real action. When organizations undergo change that is merely apparent, what occurs is the moving of boxes around on an organizational chart. Personnel levels either remain static or drop, cuts in responsibility occur, visibility does not change, budget levels remain the same or drop, and valuable personnel start leaving in large numbers. Overall, there is a lack of stability that never seems to end. However, when organizational changes are substantive and are intended to make a definite change in the operational behavior of the old organization, what occurs is a streamlining of the functions, increased responsibility with new programs added, greater visibility in political and budget channels and accompanying increases in personnel and budget levels. Experienced program personnel try to get into the organization. Overall, a feeling of creative tension, or challenge, is present that causes the new organization to move determinedly toward its goals.

Education programs assembled as a new department were changed in substance or changed only in appearance. If intent was substantive, close study of the following material will suggest if the creators were successful in their purposes. The education programs were to be put together into an all-encompassing organization, ending fragmentation and duplication along with a host of other organization problems.

The administration, in sponsoring legislation for ED, would be able to develop a Cabinet department that would clearly reflect the varied and cosmopolitan education programs; a department composed of all federal programs that dealt substantially with education issues or themes. The President intended to create an organization that would finally deal with and sort out the diversity of the education programs; take a deep look into all these myriad activities and develop some interrelated coherence among them. The President hoped to reduce over time the varied duplication and widespread funding sources of the programs.

Without proper care and preparation in developing a case in favor of a substantive education organization, the Congress could be pressured into creating an organization for education program that had no real substance. Cues to such action could be the arraying of the program in the old organization into a similar group of programs in the new organization or the arraying of programs in both old and new organizations on the same narrow constituency base. The funding base of the new organization would have a slight change from previous funding base. Basically the "reorganization" could be labeled more appropriately, "tinkering". The administration did not want tinkering; the President wanted complete reorganization of the federal education programs.

Contemporary Theorists

Contemporary contributors to the theoretical and practical development of organizations and the growth of the federal system included Gulick, Fayol, J.D. Mooney and A.C. Reiley, to name a few. These men participated, directly and indirectly, in the committees ordered by President Roosevelt to study ways and means of controlling the

spiraling growth of the government impacted by his administration's new programs and support agencies.

When dealing with the design of a large organization, these theorists addressed three main problem areas:

1) Ways to organize--by major purpose, by process, by clientele or by geography.

2) Ways to divide work--horizontally or vertically.

3) Executive control of the organization.

Each of these three areas will be discussed at greater length below.

Ways to Organize

Gulick developed the now famous acronym "POSDCORB" to describe the organization of the executive suite during Roosevelt's time. POSDCORB represents the functional responsibilities of the chief executive-- Planning, Organizing, Staffing, Direction, Coordination, Reporting and Budgeting. In large and complex organizations, the above responsibilities can be subdivided into separate specialized functional areas. The President of the United States has organized these responsibilities into discreet functional areas, called departments, which in turn meet as a group called a Cabinet. For example, the ED is responsible for planning, directing, organizing and coordinating the education area.

The departments are formed into aggregates by major purpose, by process, by clientele or by geography. While all the design elements of Gulick's theory might be found in a department, one element tends to dominate. The Cabinet as an organization of top executives reflects a mixture of Gulick's design elements.

Ways to Divide Work

Any theory of organization pertaining to the structure of coordination imposes upon the activities of the organization a structure on how the work should be divided in order to ensure it gets accomplished. To determine how an activity is to be organized, how the work is to be divided must be considered first. Work division is therefore the foundation of

organization, and the reason for organization. Because subdivision of work is inescapable, coordination is mandatory.

Organization theory indicates that there is no one best way to coordinate work. Experience shows that it can be done in one of two ways: (1) By a "scalar" organization or, (2) by an organization with a singleness of purpose.

In a scalar organization, clear lines of authority permeate from the top through every facet of the enterprise, based on the ancient military chain-of-command concept, or "line" principle.

Scalar organization is simple to understand and easy to implement and monitor. Work is sub-divided by allotting it to people placed in a structure of authority. Supervisors coordinate the work of subordinates, a concept that reaches from the top to the bottom of the entire enterprise. The responsibility of subordinates who are delegated authority is very precisely defined and the supervisor at each level of work is totally responsible for every aspect of his subordinates' work.

The second method of organization stresses the dominance of an idea. Intelligent singleness of purpose is developed in the minds and wills of those who are working together as a group. Each worker, of his own accord, fits his task into the whole with a high degree of skill and enthusiasm.[21]

These two principles are not mutually exclusive; in fact, no enterprise of any size can be effective without extensively utilizing both principles. Both are greatly limited by the forces of time and size.

Size inhibits coordination because so many processes, functions, and competing responsibilities must be combined. The larger the physical size of the organization, the more levels in the hierarchy and the more people involved in the work, the greater the likelihood for coordination to become awkward and cumbersome.

Because much time is expended in getting large organizations to work properly, available time becomes a limitation that inhibits coordination. Time must be considered

when large organizations are contemplated. The goals of the organization may be met, but the accomplishment may be very expensive in terms of time required. Gulick explains that coordination and time differ between established organizations and newly established organizations:

> The interrelated elements of time and habit are extraordinarily important in coordination. Man is a creature of habit. When an enterprise is built up gradually from beginnings, the staff can be "broken in" step-by-step.
>
> And when difficulties develop, they can be ironed out, and the new method followed from that point on as a matter of habit, with the knowledge that particular difficulty will not develop again. Routines may even be mastered by drill as they are in the Army. When, however, a large new enterprise must be set up or altered overnight, then the real difficulties of coordination make their appearance. The factor of habit, which is thus a handicap when time is not available, that is, when change rules. The question of coordination therefore must be approached with different emphasis in stable and in new or changing organizations.[22]

Executive Control

While the major purpose of an organization is goal attainment, the major function is coordination. Each of the four principles of administrative organization through departmentalization (purpose, process, clientele, geography) have a different role in relationship to the overriding idea of coordination. If an organization is set up on the basis of purpose, then the chief executive must insure adequate coordination between his organization and outside organizations and the executive must work to ensure that the major purposes of outside organizations are not in conflict with those of his organization. Internally, the executive must insure that the various processes used are consistent with the major purpose, causing little or no internal friction. The organizational subdivisions are dominated by highly trained professionals using particular skills or techniques to accomplish the local objectives of the organizational subdivisions. The department heads are responsible for the accomplishment of the local objectives and coordinate with the Chief Executive on general policy issues that result in goal attainment.

Mooney and Reiley reaffirmed the importance of the term coordination as an organizational technique:

> This term expresses the principles of organization in toto; nothing less. This does not mean that there are no subordinated principles; it simply means that all others are contained in this one of coordination. The others are simply the principles through which coordination operates and thus becomes effective.[23]

Work division, the essence of coordination, may be accomplished in two different ways. In the first, work is divided vertically into different tasks. There are several methods of vertical division of work. One method of vertical work division is called "serial"; responsibilities for accomplishment follow one after the other. Another method of vertical work division, called "unitary" or "functional" division, divides work into general areas by product. Work performed via the latter vertical method is distinguished by the kinds of processes undertaken.

Work also may be divided horizontally into different levels of authority and responsibility. The dividing or grouping of work to be done into levels is an important frame of reference for the adjustment of the final responsibilities for each level. The continuous correlation of the work to be done between and among the different organizational levels constitutes one of the main tasks of leadership in any organization.

Vertical organization is an easy concept to grasp, for originally all undertakings are organized on the "line" principle. Early organization structures reflected a simplistic vertical organization. Non-military administrative thinkers such as Mooney and Reiley called it scalar, after the hierarchal growth of responsibility and the higher place on the hierarchy. The importance of a supreme coordination authority in a scalar organization is stressed by Mooney and Reiley:

> The supreme coordination authority must rest somewhere and in some form in every organization . . . It is equally essential to the very idea and concept of organization that there must be a process, formal in character, through which this coordinating authority operates from the top through the entire structure of the organized body.[24]

As outlined by Gulick, the above is a formal structure of authority, one requiring not only large numbers of employees working at one time at a particular place, but also working for a single directing executive authority. The problem of organization becomes a complex problem of building an effective network of communication and control between the executive as the head of the enterprise and the work subdivisions perform under him. The organization must perfect the structure of authority between the executive and the work subdivisions.

Span of Control: At the beginning of any new organizational undertaking, the organization has early problems of coordination, the meshing of the new programs with the old programs in the organization and getting the work force to work as a cogent whole. Some of the problems relate to whether you spread the program work across to both new and old workers; or do you spread some program work across old workers using them to continue previous tasks and use some old workers do new tasks. The problem becomes even more evident as the enterprise increases in size and are most evident in large organizations. The limits of a "span-of-control" impede coordination if too many employees are placed under one supervisor or if too many employees with too many different functions are placed under one supervisor. Gulick explains the problem of span-of- control:

> Just as the hand of a man can span only a limited number of keys on the piano, so the mind and will of man can span but a limited number of managerial contacts . . . The limit of control is partly a matter of the limits of knowledge, but even more, it is a matter of the limits of time and of energy. As a result, the executive of any enterprise can personally direct only a few persons. He must depend upon them to direct others, and upon them in turn to direct still others, until the last man in the organization is reached.[25]

The principle of span of control used and written about by the early administrative theorists places strict limits on the number of separate subordinates with which a person could deal with at one time. The administrative counterpart of the span of control principle states:

> A supervisor with five subordinates reporting directly to him, who adds a sixth, increases his available human resources by 20 percent. But he adds approximately 100 percent to the complexity and difficulty of his task of coordination. The number of relationships which he must consider increases not by arithmetical but by geometrical progression.[26]

The "span of control" principle indicates the difficulty when one additional subordinate is added.

At every level of an organization, according to Mooney and Reiley, the use of the scalar principle (and the span of control principle within it) must be observed or authority breaks down because confusion results when the scalar principle is not observed. If the subdivision of executive authority is based on a functional arrangement, the functional design should recur throughout the organization. Similar functions must be placed together in order to work properly. Even when similar functions are placed together, the growth of the organization will cause decisions to multiply. In turn the growth of an organization demands that an increasing number of decisions be made by the chief executive himself. Simultaneously, below the executive level, there must be points where decisions can be made. For example, when planning decisions are made in central offices, implementation of the plan must occur at the level closest to the daily operation of the program.

If the chief executive does not push the decision level down to the lowest possible level and obtain a well informed decision, the chief executive finds himself doing work on a functional basis or on a unitary basis. As the chief executive naturally increases his level of energy to properly coordinate the efforts to produce the organization's service or product, he violates the proper span of control as defined and explained above.

If the groups function together, the span of control difficulty will occur, but at a lower level of the organization-- the point where functional and unitary responsibilities meet.

In a very large organization, the coordination, the control of special functions and the responsibility for different services, must to a degree mesh in the proper delegation of authority.

The number of people one can control or the number of ideas one can balance and deal with effectively, varies both with the type of work and with the size of the organization. When the work is routine, repetitive, durable and homogenous in character, one person can direct several dozen workers and even more if the workers are all in one room and under the direction of their functional supervisor. When the work is diversified, qualitative and difficult to quantify, and particularly when the workers are geographically scattered, one person can effectively supervise only a small number. As the latter work is usually found at the top of the organization, the limitations of span of control are most evident there. Among proponents of the theory of span-of-control, agreement on the fundamentals exists. On the specifics of how many people an individual can effectively control in a decentralized organization, Sir Ian Hamilton said:

> When [organizational elements are] scattered, there is not only need for more supervision, and therefore more supervisory personnel, but also for a fewer number of contacts with the Chief Executive because of the increased difficulty faced by the Chief Executive in learning sufficient details about a far-flung organization to do an intelligent job.[27]

In summary, the chief executive of an organization deals with relatively few immediate subordinates; the number of immediate subordinates he deals with is determined by the nature of the work, the work habits of the executive and the fact that to achieve a similar level of coordination, the immediate subordinates in a large and diversified enterprise must be fewer in number than those subordinates in a homogeneous and unified organization. The mechanism that insures proper coordination is the concept of line and staff responsibilities.

Frederick Winslow Taylor was one of the first theorists to formally recognize the consequences of the tendency of having workers specialize in either one type of work or the

production of one kind of product or service. Taylor developed the idea of separating the thinking or planning aspects of the work performed from the work activity:

> Functional management consists of so dividing the work of management that each man from the assistant superintendent down shall have as few functions as possible to perform.[28]

When the concept of a division of responsibility by function is carried higher up the line in any large enterprise, difficulty is encountered because of the amount of coordination needed. The scalar process is weakened because the needed coordination lapses or is obtained only through extraordinary effort at a considerable cost.

> When a considerable amount of staff organization is introduced . . . this tends naturally to weaken the disciplinary effects of line control, and where staff organization is used to any marked degree, special care must be used to supply coordinative influences to compensate for this weakness.[29]

Precise definition of the terms staff and line are lacking.

> "Staff" positions have been described in many ways, such as, one which deals with one particular phase of business or gives advice to the line officers. The primary functional division of staff are: Sales, Engineering, Manufacturing and Financial types of services and gives special types of services.[30]

In other words, any type of function which is specialized may be a staff function. The relation of the staff function to the operating departments or line functions is an advisory one. Mooney and Reiley observe that the staff function not only had informational and advisory responsibility, but a supervisory role which includes the activities of inspection of the line function. More specifically, Mooney, president of General Motors Export Company, said:

> A line officer exercises authority over all of the body of organization lying beneath him on the chart, whereas the influence exerted by a staff officer outside of his immediate department is, so far as it is authoritative, is an authority of ideas. The staff officers are, in their function capacities, responsible advisors to their respective line superiors, and advisors also to the corresponding staff officers in the subordinate organization strata, but any direct line instruction they may wish to see promulgated may be promulgated only back through their line on contact with their superiors and down thence to the line officers in the next subordinate stratum . . . If

the expression descriptive of a staff officer's authority--an "authority of ideas" means anything at all, it means that the staff executives' plans and recommendations are entitled to the respect and consideration of the line executive. A very definite burden is, therefore, put upon the line executive who sees fit to disregard or to reject the counsel and help of his staff associates . . . Four cardinal principles . . . enter into a proper understanding of the relationship between line and staff . . . :

1. Line and staff are jointly responsible for performance.

2. A staff officer discharged his responsibility by furnishing information and advice which he makes available to the line officer unselfishly and without thought of personal credit for the results accomplished.

3. Although staff executives are charged with responsibilities that have to do with internal administrative phases of work in their own departments, this does not give them direct authority over the line forces in subordinate organization strata, nor does it relieve their line superiors of the basic responsibility for the results of their work.

4. The line recognizes the purpose and value of the staff and makes full use of its advice and assistance. In order that the line may properly do so, the staff must create for itself an authority of ideas, and must, by competence and tact obtain and justify the line's confidence.[31]

In redesigning an organization, organizational designers usually think only about delegating authority within the organization from the top down. Designers regard the organization as a system of subdivisions under the chief executive with all authority and power emanating from a central source at the top of the organization, the chief executive. Designers looking at the organization from the bottom up view the organization as a "system for combining the individual units of work into aggregates which are in turn subordinated to the chief executive."[32]

The import of these two different views of organizational theorists is that:

Those who work from the top down must guard themselves from the danger of sacrificing the effectiveness of the individual services in their zeal to achieve a model structure at the top, while those who start from the bottom, must guard themselves from the danger of thwarting coordination in their eagerness to develop effective individual services.[33]

The preferred solution is to design the organization from

the top and the bottom, and meet at the center. The preferred solution of meeting at the center of the organization is a sound solution, both theoretically and practically. In designing the first subdivision under the chief executive, the limitations of the span of control come into play. In developing the first aggregates of specialized functions within the organization, the principles of homogeneity apply.

Background of the Education Bill

Although Jimmy Carter promised during his campaign for the Presidency in 1976 to create a Department of Education, the Congress elected in 1976 acted prior to the President and first on the issue in 1977 by declaring the establishment of such a department to be in the public interest. Congress outlined seven purposes for the Department of Education:

1) Strengthen the federal commitment to insure equal access to educational opportunity for all individuals;

2) Supplement and compliment the efforts of the state and local school systems;

3) Encourage the increased involvement of the public and parents;

4) Promote improved quality and of education through educational research and the sharing of information between the state and federal levels;

5) Improve the management and efficiency of federal education activities, especially the process, procedures and administration of the dispersal of federal funds;

6) Improve the coordination of federal education programs; and,

7) Increase the accountability of federal education programs to the President, the Congress and the public.[34]

The Congress stated in the preamble to P.L. 96-88, the law creating a Cabinet level Department of Education, its belief that education was primarily the task of parents, and state and local government but that a single Federal voice at a high place in the Executive hierarchy for education was necessary to assist parents and local governments to assure equal access to high quality education so essential to the development of each citizen and the progress of the nation.[35] These beliefs are paraphrased below:

1) Education is fundamental to the development of individual citizens so that they may contribute to the overall progress of the nation;

2)Equal access for all Americans to high quality educational opportunity must be insured;

3)Primary private responsibility for the education of children lies with their parents;

4)Primary public responsibility for education is vested in the states and local school systems;

5)The American people benefit from a diversity of educational settings;

6)The importance of education is increasing as new technologies and alternative approaches to traditional education are considered;

7)Improvement in the management and coordination of federal education programs is needed to support more effectively the efforts of state, local and private institutions;

8)The dispersion of education programs across a large number of federal agencies has resulted in fragmented, duplicative, and often inconsistent federal policies regarding education;

9)Presidential and public consideration of issues relating to federal education programs is hindered by the present organizational placement of education programs in the executive branch;

10)No single, full-time, federal education official is directly accountable to the President, the Congress and the people.

These very general and all-encompassing statements open the recitation of the specifics of the law.[36]

The Three Participating Forces

The administration, special interest groups, and the Congress are each interested in testifying concerning the proposed legislation to create a new Cabinet-level Department of Education. The views, the feelings and the attitudes of three forces make up the political

process. These three basic forces were responsible for the design, organization and structure of the Department of Education through participation in the political processes surrounding that creation.

The Executive Branch

The Executive Branch is composed of three parts: The administration (the President and his staff), the Cabinet and the bureaucracy. The administration is the political form of the Executive branch; the Cabinet officers are the link pins between the politically oriented administration and the permanent bureaucracy; the bureaucracy encompasses the departments which operate the executive or administrative agencies. The administration is the loyal staff of the President, appointed by him, with the consent of the Senate and serves at his pleasure. Usually these ranks are filled by advisors and friends of the President. Sometimes a group called the "brain trust" is included. The more older of his past friends, in terms of knowing and advising the President prior to his election, and other notable personages of his party are selected to fill top positions at the head of each federal department; the Cabinet reflects the will of the President in that a President's advisors mirror his basic political philosophy or personality. A President's close advisors being given the rank of Secretaries as current department heads in the federal government permits a President to translate his political program into administrative reality. Obtaining the cooperation of the bureaucracy is a major obstacle in translating political programs into administrative reality.

The bureaucracy, peopled by civil servants, administers programs (in this case, educational programs) on a daily basis. In some instances, certain of these officials at the operational level were associated with specific educational programs since the inception of the program. The program bureaucrats constituted an important force, because these bureaucrats have intimate knowledge of the facts by higher levels either to justify budgets and programs, or to explain programs to both the general public and special constituents. The program officials had their own ideas of how the education program should be

configured. Most of these ideas began with personnel and budget growth, both of which affects bureaucrats and their careers.

Bureaucrats tend to have the most narrow views of all the interest groups. Only their specific programs matter to them. Congressional staffs use to their advantage the commitment of bureaucrats to narrow program interests.

Together, elected officials and the administrative bureaucracy are a powerful force. With regard to a Department of Education, the administration took a political point of view, quoted national need and a political mandate from the people in hopes of swaying the members of the Congressional committees to restructure the education agencies of the federal government in terms of efficiency into one unit. President Carter worked to get through Congress a bill that would include all of the various educational programs in a single narrow-based department.[37]

An additional side of the bureaucracy, so aptly described by Anthony Downs in his landmark book, Inside Bureaucracy, is the part of the administration built into every organization: the part of the organization made up of the composite will of the workers who inhabit the organization and who help the organization to survive as an inherent, yet intangible segment of the bureaucracy. The bureaucracy provides much of the data proving that the administration is correct in its rationale concerning the efficiency and openness gained in creating a Cabinet Department according to the predilection of President Carter.[37]

A long-standing cooperative relationship exists between the executive branch (the operating bureaucracy), the legislative branch (the Congress), and more importantly, the Congressional staffs. While the loyal bureaucracy is collecting and analyzing data for the administration, this same bureaucracy is providing data--in some cases probably the same data--to the Congressional staffs for their efforts to support or revoke the administration's arguments. One central dictum is present in this apparent contradiction of operation. Whether cooperating with the administration or cooperating with Congress, the operating

bureaucracy protects its survival and where possible its reputation and growth. In America's pluralistic society, this behavior of the bureaucracy is not out of the ordinary.

Special Interest Groups

A second force with ED was its creation in addition to the Carter Administration was the collection of special interest groups, which by the power of their information-sharing processes have great influence over the Congress. The special interest groups, with very narrow views, had their own concepts of how the department should be organized and what it should contain. For example, spokespersons for minority groups would have configured the department as a monolith of civil rights investigators with educational programs totally within their authority.

The Behavior of Special interest Groups: The special interest groups, however, are quite different in their rule adherence since each tends to accept and acquire the rules of the group the member represents. If the interest groups are taken collectively, as they are here, as a single "group" after a single purpose, then there is a wide variety of rules among the interest groups at their disposal.

While predictions can easily be made about the behavior of the bureaucracies and the Congress (the rules and guidelines of each are laid out in law, policy and regulation), the special interest groups are not so confined and, in point of fact, may use existing rules to favor the interest group. For example, let one imagine a health agency facing transfer from the public Health Service (PHS) to the new department. The bureaucrats of the PHS agency would know that their clout with the budget and program subcommittees of Congress, which brings in the money needed through carefully nurtured channels of the PHS bureaucracy and that this clout will end.

The bureaucrats would not know how successful they might be in getting the extra money to allow the programs to grow. Given the rules, the most bureaucrats can do is supply their friends in Congress with facts and data that may aid their Congressional friends to defeat proposals to place the agency in the new department. Congressmen use

the channels of individual contacts and the budget process to gain information. The information exchanged between the executive agency and the legislative committees and their staffs is quite substantial. More than once, legislation has been changed from its original intention due to the relationship between the bureaucrats and the legislative staffs.

The bureaucrats develop relationships between their staffs, Congressional staffs and professional organizations, which in turn have subgroups that either function as interest groups or have ties with interest groups. The information exchange among these entities is quite staggering. The intent of some legislation is changed due to this exchange of data and information. An agency could funnel information to groups such as the American Medical Association, related Nurses' Associations, specialty groups, ancillary professional groups, and even educational associations dealing with the agency. The above is viewed as normal political-office politics at the local (office) level and not as being underhanded to the executive administrative hierarchy both career and political but as necessary for program or agency survival in the political arena of Legislative-Executive-Public interrelationships. The information exchange can, and times does, seriously damage the executive department and the maneuvers of other groups. Revelation of certain information is publicly disclaimed at the executive department level as "leaks." Special interest groups adhere to the "rules" of the bureaucratic organization from which these special interest groups derive their power, influence, and information. Playing by the organization's rules make the special interest like the organization with which the group is identified and, in turn, the organization is more comfortable with the special interest group. Nonetheless, special interest groups have additional goals and objectives which differ from the goal and objectives of the bureaucracies with which the groups are identified. If the special interests associated with bureaucracies did not have goals and objectives separate from of the bureaucracy, the group would be seen as simply a pawn of the organization. Special interest groups must be seen as associated with an organization, but the group must have a

separate identity sufficient to be looked to for leadership; the group can not be seen as political followers of the bureaucracy.

The Congress

The third force in addition to the Administration and Special Interests intent on shaping the new department was the Congress itself. Naturally suspicious of most moves made by the executive branch, Congress would not allow any impulsive dismemberment of its categorical programs. Congress had been fighting pressure from various sources to move away from categorical programs and toward block grants. Categorical programs reflect and harbor specific special interests, and Congress was unwilling to dilute the power of its constituency base in special interest groups.

Categorical programs have a broad constituency base at the receiving level and an easily controlled narrow program area at the operational level. The Block grants entails no strings; the Congress by turning over the money 'en bloc' to the States loses direct control over constituent votes.

The Congress was watchful of its prerogatives in such an important area of influence: the ability of individual Congressmen to deliver programs, block grants, and loans to his constituencies. Many Congressmen used their influence to place a program in an economically depressed area thereby not only delivering educational benefits but in some instances serving the community as an employment center, providing jobs for both professionals and paraprofessionals. Congressional prerogatives are important and by tampering with categorical programs the creation of a new centralized Department of Education can affect prerogatives.

The special interest groups abide by general rules of bureaucratic behavior, behavior widely accepted in federal agencies and the legislative staffs. Large private and public organizations operate using rules, regulations, procedures and norms developed over a period of time by trial and error and experience.

The three forces of Congress, Special Interests and the Administration, different and opposing, may seem in contradiction with each other. The interactions of three forces ensure the success of the process, the peaceful and basically open reshaping of the existing structure of government by all political elements whether in power or not. The give and take of this seemingly cumbersome process provides a solidity likened to concrete in terms of durability and acceptability by the people it affects.

Each of the three forces was busy developing and presenting its own version of the new department. The administration used transition teams. Congress held special hearings. The special interest groups participated by testifying during the Congressional hearings.

Summary

America has a tradition and long history of local control of its education processes. Only for serious reasons would local school boards share their decision making with other higher government levels; money to develop and offer a greater range of education to the local constituents is one such reason. In the 1940s the degree of power wielded by federal government over state and local school governing bodies was hotly debated. With sufficient funds for the education of children being a problem, the sharing of power over education decisions was an issue that at times produced confrontations and that at times was fierce and competitive.

From the necessary and normal development of education between the different governmental levels, a complex and intricate set of administrative relationships and processes evolve. Government as an organization began to grow during the New Deal administration of Franklin D. Roosevelt, 1933-1945. The Great Depression, 1929-1941, caused the American people to look to the Federal government for protection against unbridled business practices and for direct assistance in areas of health, education and welfare, especially welfare. The Federal government began to grow physically in numbers of people and facilities needed to house the new and varied government assistance

programs. This unprecedented growth was made smoother by the administrative theories of scholars and practitioners such as Gulick. Gulick supplied the administrative processes that assisted in the evolution of a large American education program interrelated at all levels of government.

The practical education needs of post-war America caused the evolution of an education bureaucracy sharing both tradition and administrative progresses with the past. When the legislation was proposed for a new Cabinet-level Department of Education the three powerful forces, Executive (Administration), Congress and Special Interest maneuvered to shape the organization to their own individual specifications. The interplay between and among these three forces was at time contravening to the traditions of local control of education and sometime violated rules governing administrative processes as outlined previously above. Both the history of educational development and the plans implemented for the operation of the education systems and program were well thought out and well planned thus allowing tine for the flaws to be perceived and corrected. Moreover, the struggle that ensued in the Congress over the proposed new Department of Education and the resulting intensity of the testimony suggest that same of the traditions and conventions of administration were swept aside in the name of efficiency and convenience. The Administration now used a fourth way as in theory.

The three forces adhered to convenience and necessity in the goals they sought. Formal organizational rules and procedures were overlooked for the preference for looser and more informal organization rules. While both the formal and informal organizational rules are needed for the smooth operation of large organizations; the balance must weigh to the side of formal routine and predictable rules. It might be suggested that the dominance of informal rules, those of convenience, shortcut and loose configuration, over formal rules cause the resulting organization to have built in flaws which may or may not cause later problems. It is suggested that a crude tug-of-war evolved in this process between a formal

set of processes backed by tradition and administrative convention and an informal set of processes dominated by needs and wants of the three forces.

Chapter III

Evaluation of the processes in the creation of a single large organization of all of the Federal education programs and evaluation of the resulting organization is a complex task. The various education program pieces brought together to create one large education department each have their own program histories and program identities. McIntyre stated that a total of 409 different education programs would be looked at and considered for transfer to ED. Some education program are more important than others; some have larger budgets, others tackle more sensitive education program, while still others have large or very well organized constituencies behind them. Because of the program complexity it is necessary to develop a multi-level methodology in order that inter-relationships that are relevant and accurate take place.

To facilitate analysis of the proposed education department criteria are developed to remove some of the education program elements for the analysis. Each of the four (4) methodological levels refines the information required.

This study does not consider any occurrences subsequent to May 8, 1980, the official day of establishment of the Department of Education. The study examines the change in the federal role in education as seen through the creation of the Department of Education by comparing placement of programs in ED with their placement prior to creation of ED. Care was taken to use, interpret, evaluate and cite only primary, secondary and unpublished sources before the date of the establishment of ED.

Attention is not directed at the change seen in the shifting of titles or in the roving the configuration of the boxes on an organizational chart. The focus of attention will be on the process of change as it applies to the actual transfer of program elements to the new educational organization. No attempt to appraise the

wisdom of the programs or implemented changes or any inspection of the benefit to an outside organization will be made.

A guide to methodology used in this study is Frederick C. Mosher Is, Governmental Reorganizations. He prescribed gathering primary documents relevant to the case at hand; carefully examining these documents for trends, comparing such against categories like level of hierarchy, type of function, degree and nature of political exposure and type of personnel involved; developing an historical review of immediate past situations that are related to the move for change; studying the documents of the formal decision process (legislative hearings); studying the specific steps that put the decisions in effect; and reviewing the decision documents.[1]

This study will also utilize the Gulick model as a of developing a comparison and contrasting analysis of the ED in light of the theories of this prominent theorist and administration practitioner.

The approach will allow the development of a precise and methodical commentary on the real federal role of education as seen through the new department and its organizational changes.

Since this effort is an examination of the change in the federal role in education as expressed through the composition of the structure of the new Department of Education, the and methodologies of Gulick and Mosher serve as a conceptual framework and guide as to which organizational structures are relevant and which changes are not relevant in terms of making a substantial change in the federal role in education.

Case Study Approach

Mosher Is case study methodology allows the large amounts of information to be controlled. Mosher was a strong believer in the value of the contribution of the participants of the subject organization. From this participation comes accurate

data on the needs of the proposed organization at the inception of the reorganization and the needs of the new organization in the future.

Mosher defined participation for the use in case studies as:

> Taking part, formally or informally, in the making, or the influencing, of decisions of an organizational character by individuals and groups potentially affected by the consequences of such decisions, other than by the officials in whom is vested formal authority and responsibility for decisions.[2]

Mosher specified as potential participants in reorganization some or all of the following general categories:

1. Subordinate and intermediate supervisors or the organization concerned; employees of the organization, organized or unorganized;
2. Employees of the organization, organized or unorganized;
3. officials and employees of other public organizations whose work, relationships, and status ray be affected by the reorganization;
4. clientele, interest groups, and representatives outside the government;
5. legislatures, legislative committees, and individual legislators; and,
6. interested and influential political and civil leaders.

Numbers 1 and 2 above were not used in this methodology. Direct participation could not be obtained because this study began after the fact. Indirect participation is present in that the Senate and House committee presenters represented groups of individuals.

All of the above groups participated in the reorganization to more or lesser degrees. Mosher developed out of this experience a "Participation Hypothesis". He stated:

Government reorganizations involving intended changes in individual behaviors and relationships are more effective, both structurally and substantively, when the persons whose behaviors are expected to change take part in the process of reaching decisions as to what the change will be and how it will be made.[3]

Mosher suggest that without participation in the reorganization process the expected impact of a projected reorganization upon goal accomplishment will be significantly reduced and/or impaired. The earlier participation starts in the reorganization process the more effective it is. Mosher was as careful about the development of his topologies as he was adamant about the central importance of participation in reorganization. He cautioned researchers in the use of these topologies because of their insufficient precision, the fact that large organizations have more than one level and each Of these levels way have a different variety of units, and because of the tendency to overlook the difference between 'private' and 'public' organizations. Further, when considering public organizations most of the traditional bureaucratic prototype elements are still present. For example, the bureaucratic organization is top-to-bottom in delegation of authority, primary decision making is vested in a single hierarchical executive, all operate in a political context, and the extra organizational forces varied in during the reorganization process.

In laying out the case study method, Mosher went to great length to address each of the aspects necessary to develop an adequate case analysis. First, the different types of organizations in public Migration are identified. Second, the kinds of people who inhabit the organization must be identified or addressed, Third, the general overriding organization purpose is identified. With public organizations Mosher adds that the goal- of a 'public' organization as a central element are not stable. For public organizations the modification of the organizational structure is primarily a means to change the emphasis in organization purpose, not change the purpose itself. Fourth, understanding the value of tensions in organizations and the equal value of equilibrium in organizations. The tensions can be internal or external

in source. Fifth, Mosher was clear in the importance of organizational obsolescence as a rationale for reorganization.

Finally, Mosher lists four major categories for the goals of reorganization: (1) those related to changing policy and programs that my cause a shifting of agency purpose ; (2) those designed to increase administrative effectiveness; (3) those directed to problems of personnel, individuals or groups, and; (4) those intended to counter pressures and threats from outside the organization. The department of education developed rationale supporting the creation of ED as a means to solve or reduce problem in administrative effectiveness.

In summary, Mosher has outlined a broad structure for using the case study methodology for public organizations. using the participation hypothesis as a central core for his model, Mosher suggest factors to be used in assisting the development of a complete analysis of a public organization. He is helpful in providing an outline of how to better perceive the effects of reorganizations on public organizations. Mosher grounds his tenets concerning reorganization in participation of the affected people in the reorganization process, lays cut organizations as structures containing specialized people, specified purposes, wrapped in tensions and tending toward obsolescence. Taken together these factors precipitate reorganization and can guide the understanding of the process.

Mosher's model is too detailed and broad for the purposes of easy understanding of the reorganization of scattered education programs into one new department-sized organization. But, Mosher provides insight into the internal or external groups affecting the reorganization of the federal education programs. Mosher also provides a strong theoretical basis for what happened in the proposed reorganization of the education programs. The 'Participation Hypothesis' pointed out that some level of participation of the affected parties would be evident; this applies to both internal groups and external groups. This goes far in sustaining the

three forces at work shaping the new education structure. Mosher identifies the vying groups as either internal or external to the organization; in this study these groups are referred to as 'forces'. He provides a theoretical underpinning to the development of the reasons for the reorganization (administrative effectiveness) and the reasons for the weighty interplay among the three forces (internal and tensions) during the hearings.

Elements of the Mosher model did not fit the reorganization of the proposed new department. Parts of his comprehensive theory contributed to the overall basis of understanding of the possible administrative and behavioral motives of the participants.

Multi-Level Analysis

Taking the Mosher approach one step further, and to better examine the information reviewed, a multi-level methodology assisted in the organization of the analysis. Reorganization of the education programs is a large and complex task. The information and data available for examination is vast. In order to bring control to the study the following multi-level methodology was developed and applies to reorganization success in terms of altered perception of the federal education role.

Graphic of the Modified Mosher Methodology

Level IV

EDUCATION PROGRAM TRANSFERRED

Level III

REMOVAL OF ORGANIZATION CLUTTER

Level II

RELEVANT EDUCATION INFORMATION

Level I

TOTAL AVAILABLE EDUCATION INFORMATION

The multi-level analytical model shown above viewed in a bottom-up fashion visually depicts the nature of the analysis. Each level builds on the previous level. Each subsequent analysis refines the data and thus reduces the magnitude of the problem. This methodology allows a controlled transition from a broadly-based quantitative analysis to a set of narrowly-based qualitative conclusions.

Level I Analysis: Total Education Information

Level I consisted of collecting information on federal education programs that was relevant to this study. Federal education programs of such configuration and size that they might be a candidate for transfer to the new department from elsewhere in the Federal Government were examined. All information with a central theme discussing education program processes, structure, personnel, or social-education goals about education was considered. The fact that no matter how thorough one is everything cannot be found or examined. The limitations of time and vastness of the information available suggest a reasonableness in what and how much information would be realistically considered in Level I. In other words, a researchers do the best they are able in searching out topical education information dealing with the theme of organization or reorganization.

Analysis of the effects of the reorganization of education functions into a self - starting Cabinet department is by nature restricted to primary documents and a select few scattered secondary sources. The primary materials are the Congressional hearings of the 95th and 96th Congresses. The House conducted two sets of hearings and the Senate held one session. Only the material in these hearings is used in this study. To accurately look at the changes of the education function, a before-

and-after scrutiny, only the hearing materials before the Committees are valid. Nothing in the primary material can be used after the may, 1980, the date established by the legislation for the launching of the ED. This date is the terminal point for this study. Information obtained after this date could be slanted to a predisposed outcome. Use of primary testimony before the Congress gives public positions of each of the forces on change in education functions desired in place of placement prior to consideration of ED.

Secondary sources give background and highlight interrelationships not mentioned or indicated in the hearing testimony. In selecting the secondary sources, only those which discuss events before implementation of the Department of Education were used. Other sources, while informative, tend to taint the information presented with comparisons of how the new department is doing in comparison with an issue or a problem. The major source in the secondary works used for background and orientation material is the fine work done by Rufus Miles, A Cabinet Department of Education: Analysis and Proposal. This private study was contracted by the American Council on Education. Although an obvious proponent, the American Council on Education's study was very helpful in giving an overall view of education, and the possible configurations education might assume through reorganization.[4]

The senior staffers of Congressmen presiding over the Hearings and the Congressmen themselves have been working in a milieu using basic organization such as Gulick's for their government careers and as a result are familiar with acronym such as POSDCORB. Senior decision-makers usually did not actually employ current modern trendy organization techniques. They use tried and true, basic organization methods such as POSDCORB.

With secondary sources providing background information and an organizing procedure, it is possible to screen the hearings for trends, patterns, and

hidden agendas. The hearings produced many programs that were possible candidates for transfer to the new department. Approximately 409 education related program were in existence at the time of the proposed reorganization of ED functions. [5]

The precise number of categorical programs that dispensed federal money was not known. More than once the use of different numbers added confusion to the reorganization hearings. Soon any number was accepted by Congressional Committees and witnesses for the sake of proceeding with the more substantive arguments for or against the department. The figure 409 is used here because, given the testimony, it appears to be the most reasonable.

Level II Analysis: Relevant Education Information

A guide to methodology used in this study is Frederick C. Mosher's, Governmental Reorganizations. He prescribed gathering primary documents relevant to the case at hand; carefully examining these documents for trends comparing such against categories like level of hierarchy, type of function, degree and nature of political exposure and type of personnel involved; developing an historical review of immediate past situations that are related to the move for change; studying the documents of the formal decision process (legislative hearings); studying the specific steps that put the decisions in effect; and reviewing the decision documents. [6]

This study will also utilize the Gulick model as a means of developing a comparison and contrasting analysis of the ED in light of the theories of this prominent theorist and practitioner. The approach will allow the development of a precise and methodical commentary on the federal role of education as seen through the new department and its organizational changes.

Level II of this methodology consisted of a detailed survey and perusal of selected sources of relevant education program information dealing with either reorganizations in general or with education reorganizations specifically. Gulick and Mosher were accepted as resource and theoretical guides during the Level II process. The predominant information related to the proposed reorganization of the education program came from the primary resource material of the Congressional Hearings. Most sources addressing the reorganization of the proposed new department did not talk to the process, but instead about the results of the education reorganization. Such secondary sources were not appropriate for further consideration in this study.

Level III Analysis: Removal of Organization Clutter

Even with the reduction of education program sources and material to be considered as a result of the implementation of Level I and Level II, duplication, mixed processes, redundancy and overstaffing in the scattered education program remained. As these education program were examined and drawn closer into the proposed structure for a new education department, clutter became a problem because of the number of units considered and the different importance of some units. Conclusions could be inaccurate because these specific education programs lead to an imbalance.

As a part of Level III analysis education programs were analyzed as administrative structures as well as coordinated goal accomplishing activities. From this point-of-view two types of administrative clutter evolved as it applied to this study. There appeared to be standard process units and fixed programs. The standard process units are the administrative functions and activities common to any large organization.

Moreover, as a part of this Level III analysis, process functions are removed . Support programs such as the budget office, personnel and computer services, to name a few, are necessary for any large organization to operate in a routine fashion. These common process functions are set aside, for once the organization is approved these functions are required for effective organizations. The alternative to not having these process functions placed back into the organization would be development of an organization that could not function. Most organizations (all large organizations) must have process functions in order to conduct orderly and predictable business. The only debate that would be involved here is a discussion of the numbers and types of personnel in each function compared to the total personnel ceiling of the department.

The fixed programs examined in this study are unique to this particular study. Fixed programs may be different in a study contemplating the reorganization of welfare program or health programs. Narrow based organizations such as ED tend by the nature of the problems solved by fixed programs to have different narrow objective programs designed to solve these narrow problem. The fixed programs in this study have the quality of being needed but not necessary for goal accomplishment. Fixed programs in ED solve narrow based problem that cannot be solved in any other reasonable fashion. Specifically, program in education such as Galluadet College, Hubert H. Humphrey Library and Howard University from DHEW, along with functions funded to provide education services to the blind and deaf. From the U.S. Department of Agriculture the USDA Graduate School was targeted for transfer. All of these are "sacred" and address such target audiences that haggling over them would cause so much embarrassment and irritation among the public that their placement was never really given much opposition.

Level IV Analysis: Education Programs Considered for Transfer

Removal of the Standard Process Units and Fixed Programs left for final analysis the central core of the education programs. The placement of these program in the new education department that was fought over at the Congressional Hearings. Testimony was directed at the program operations in terms of whether the specific programs would perform better in the new department or where they were in the federal organization at the time of the hearings. The emphasis an certain education program in the testimony and not other program indicated the education programs targeted for move to the proposed new department about which there was controversy.

Summary of the Model

The implementation of this modified Mosher methodology for doing case study analysis on organizations permits the control of the vast amounts of information available on education programs. The methodology has allowed the in an orderly fashion large amounts of non-related information and data such as sources not within the tine limits of the study, primary sources that do not speak to the issues at hand or the program that do not survive the first round of Congressional Hearings. Reduction of the amounts of information to be considered allows the premeditated movement from the broad-based quantitative analysis to the more narrow-based qualitative analysis. Now only the specific education program targeted for transfer need to be addressed. More attention can be given to the relationship among the three forces and these specific education programs targeted for transfer to ED.

<u>Process changes</u>

The Administration contended that:

1. Creation of the Department of Education would improve the process activity in elementary education. 2. Creation of the Department of Education would improve the process activity in secondary education. 3. Creation of the Department of Education would improve the process activity in post-secondary education. 4. Creation of the Department of Education improve the process activity in nonprofit education organizations.

The process elements in the Department of Education take a large portion of the resources (financial, political and personnel) to keep the organization functioning well. pr can impact the new organization. Did these fixed and common process functions change; did personnel, budget, other resources change in any significant way?

While these processes make the overall budget larger, the surplus money or extra personnel do nothing to enhance the success of the categorical programs of the agency. Worthy as these programs are, when negotiation began, no real outcry was made regarding whether or not the program should move from their parent organizations or whether they were education programs essential to the makeup of a Department of Education.

The approach of removing common process and fixed functions allows a larger degree of accuracy in addressing the thesis of this dissertation. The discussion then revolves around the remaining program that are looked at in term of "program wanted but not transferred" and "program wanted and transferred."

The process elements considered above do not include education programs in the Office of Education (OE) and the National Institutes of Education (NIE). As natural parts of the new department, these OE and NIE programs are discussed separately. Programs that made significant gains in visibility and prestige by their placement in OE or NIE in the Department of Education are also examined. Much

could be won or lost with the final placement. The concern among participants is in the hearings.

Early in the methodological development some speculation about the dominant programs could be made. Elementary, secondary, post-secondary and nonprofit schools did gain from the reorganization of the fragmented education program. The specific process areas were aided by the centralization of federal education programs into one large narrow-based education department. Some personnel duplication was eliminated. The budget process was streamlined for the programs in ED. The regulatory function was improved by reducing the time to implement the regulations. Heretofore, each program would have at least one manyear devoted to coordination between the program and the hierarchy. Two of the larger programs, OE and Overseas Dependents' Schools had large numbers of personnel duplication. Consolidation of these two programs, along with the other education programs placed in ED, necessitated a reduction of obvious process duplication. The ED personnel needs were of a different type. McIntyre called for significant supergrade increases in the ED. Savings in positions from duplicate personnel in OB were to be used to provide new supervisory and executive personnel.

Content Changes

Content changes are the contributions made to 1) the of the parent organization by the new education program, 2) importance given the program by a large visible constituency, and 3) a long program history which assists the education program with legitimacy and tenure.

Specifically, content program are the programs that have a large built-in constituency, a comfortable for in the Congress that ensures adequate funding, a history of program success exhibited through specific goal achievement that can be

measured, and finally, a strong bureaucracy possessing the administrative skills to keep the program accomplishments coming.

With the creation of the Department of Education were significant changes made regarding accomplishment of goals by placing them into one cohesive organization, as the administration stated? Specifically:

1. With the creation of the Department of Education, did the catchment group of minorities benefit by the placement of their programs into the new organization? 2. With the creation of the Department of Education, did the catchment group of handicapped benefit by the placement of their program into the new organization? 3. With the creation of the Department of Education, did the catchment group of the low income people benefit by the placement of their programs into the new organization? 4. With the creation of the Department of Education, did the catchment group of the culturally deprived benefit by the placement of their programs into the new organization? 5. With the creation of the Department of Education, did the administration groups of Local Education Agencies (LEAs), State Education Agencies (SEAs), federal agencies, institutions of higher education, nonprofit education organizations, and individual beneficiaries benefit by the placement of their program into the new organization?

McIntyre was convinced that the ED improve the content of the education programs by being more efficient. Ending fragmentation would improve the content by increasing the amount of attention personnel would put on education program operations. McIntyre wanted an increase of 72 supergrade positions in the ED to raise the quality of service of the specific programs. According to McIntyre creation of ED with his collateral request for more supergrade managers would show that all of the above questions could be answered in the affirmative.

As described in Level IV above, the objective of analyzing the above statements and questions is to determine the degree of change in education function

of Federal Government and to see if the promises made by the administration and other strong proponents came to realization with the creation of the final program placement in the ED.

The creation of ED was controversial. In the 95th Congress the hearings concerned themselves not only with education programs, but with the issues of the federal role in education and whether or not to even have a new department devote exclusively to education. In the following 96th Congress the focus of the hearings was somewhat more narrow. Most of the testimony dealt with specific programs and ancillary comments relative to the proper federal role in education from the holdouts from the 95th Congress.

Three powerful forces worked in an effort to determine the final configuration of the Department of Education. First, the Administration wanted each and every education program to the new organization in order to increase visibility, coordination, reduce waste, lessen the fiscal resources required, and elevate the prestige of education to Cabinet level status. Second, the Congress, particularly rats, were willing to consider an organization as proposed by the administration as long as the proposed department did not jeopardize political clout of Congressmen with their constituents and select special interests. Third and last, the special interest groups had mixed reactions to the administration proposal and developments in Congress. One camp, led by the AFL-CIO believed that department of education would not be a benefit to the specific interests of the special interest group they represented; another camp, led by the American Council on Education took the opposite view in that they believed that a new department would be of benefit to the interest they represented; still another camp of special interest, led by members of the National School Boards Association saw a new department as a means to give education visibility and recognition. Some of this latter camp wondered if the Congress would add emphasis to the department by adding or

upgrading this or that program in order that "equality and balance" could be maintained. A final camp had no position on the department. For example, The Community Nutrition Institute, a member of this camp, had no opposition to the creation of a department of education as long as their program was not included in the new department. Members of this camp were opposed to the department if their programs were included in ED. Simply stated, this camp wanted its programs to remain where they were and not be transferred to a department of education.

Approach

The administration wanted to take programs dealing with education and put them into a single department to reduce fragmentation and duplication and to enhance visibility. Comparable programs would be under one organizational structure. At first glance this super-organization of education program appeared to be a simplistic solution at best, a shortsighted solution at worst. Moreover, the administration did not all programs to be placed into a single organization. The administration cast its net to see what kind and type of feedback would be snared. A firestorm of protest --wept up against this omnibus proposal. Proponents of ED immediately began preparing various structures that should be used to flesh out the organization, with their am programs in the vanguard of power, budget and leadership. The opponents were just as fast in polling members, experts, and passing resolutions highlighting the disaster that was to come if any of the programs were moved. In order to make an accurate analysis, the myriad program must be categorized and ranked as to what they are and how they relate to the analysis at hand.

Analysis of the primary source documents and information will answer the questions outlined above in Content Changes. The objective of the analysis, using the multi-level methodology discussed above, is to determine what was promised and generally what came about with the implementation of the new department on

May 8, 1980. To prevent contamination of the analysis, no information or data past May 8, 1980 will be used. The published statements and the final organization plan will be used to show the actual organization as of may 8. The central objective in the creation of the new Department of Education is to consolidate the fragmented federal education program into one department for purposes of making changes in the conduct of these education programs.

Research Questions

Restatement of broad research questions asked in the Process Change and Content Change sections is appropriate. The Process Change sections questions follow:

1. Creation of the Department of Education would remove the process activity in elementary Education?

2. Creation of the Department of Education would improve the process activity in secondary education?

3. Creation of the Department of Education would improve the process activity in post-secondary education?

4. Creation of the Department of Education would improve the process activity in nonprofit education organizations?

The Content Change section question follow:

1. With the creation of the Department of Education, did the catchment group of minorities benefit by the placement of their program into the new organization?

2. With the creation of the Department of Education, did the catchment group of handicapped benefit by the placement of their program into the new organization?

3. With the creation of the Department of Education, did the catchment group of the low income people benefit by the placement of their program into the new organization?

4. With the creation of the Department of Education, did the catchment group of the culturally deprived benefit by the placement of their program into the new organization?

5. With the creation of the Department of Education, did the administration groups of Local Education Agencies (LEAs), State Education Agencies (SEAs), federal agencies, institutions of

higher education, nonprofit education organizations, and individual beneficiaries benefit by the placement of their programs into the new organization?

Taken together the answers from these broad research questions will assist in the formulation of an answer to the central thesis of this study: Did the arraying of education programs in one single purpose comprehensive organization change the ability of the federal government to accomplish its educational goals? The findings in the next chapter ray begin the suggest an answer to this central question.

Final Analysis

The multi-level methodology permitted analyzing this very large and complex reorganization. Level I, II, and III of methodology directly lead to removal of vast amounts of information and data not relevant to the study. With Level IV of this bottom-up methodology, only information relevant for the study remain. Approximately ten program or issues of the total of 409 education related program scattered throughout the federal bureaucracy were studied. The findings follow in Chapter IV in the form of the ten issues that formed the central discussions for a new Cabinet-level Department of Education.

Chapter IV

Findings

The Department of Education was first considered for creation by the Second Session of the 95th Congress. The theme during the first round of testimony of the session of the 95th Congress was to challenge the rationale of creating a department at all. A large amount of testimony centered around not permitting the creation of a department. Attempts to stall the creation of an ED failed. During the time between Congresses, the active special interests clearly saw that the bill to create a department of education which failed to pass in the 95th Congress was not going to stay dead throughout the 96tb Congress. When the bill to create a department of education returned to committee during the 96th Congress, the anti-ED interests developed their testimony around whether or not their special programs should be included in the new department. Anti-ED interests rearrayed their information into an approach geared to manipulate the organizational units that would be suggested as part of ED.

In this chapter, the organization of the old DHEW is contrasted to the organization of the new ED. Then a discussion of the theory of organizational design will precede a discussion of the types of standard process units and fixed programs removed from analysis in this study.

Organization of DHEW and ED Contrasted

Organizational charts of DHEW and the proposed ED appear at first glance to reduce the program clutter. The education function no longer competes against programs that were issue-laden attention getters: health and welfare. Both health and welfare were at one time or another in the nation's headlines. The change in the placement of the education function so that it no longer competes within a department with health and welfare is significant.

Specifically, the removal of the education function from between health programs on one side and welfare programs on the other was an immediate improvement. Now education policy makers would not have to appear at Congressional committees defending their budgets from disproportionate cuts which occurred within the department. The DHEW education programs always had a rough time with Congress during the budget cycle; education had most of the non-mandated budget line items, whereas the health and welfare program had a disportionate number of programs with budget line items that were mandated by law. With any move to reduce the deficit, the education programs and their discretionary funds were the first to be cut.

The new ED department had only three major levels: the Department or Office of the Secretary level, the Assistant Secretary level and subsequent programs levels. The streamlining was more than cosmetic; it included some substantive program moves. Some programs that had only staff responsibility as a staff office attached to the Undersecretary-Commissioner's office now had a large office structure of its own. Inspector General, for example, moved from being an office attached to the Secretary of DHEW, and sharing its functions and responsibility with health and welfare, to its own office at the Assistant Secretary level. The Office for Civil Rights in the Office of the Secretary of DHEW now was Assistant Secretary for Civil Rights in ED. Bureaucratically and structurally, this was significant visible improvement for these two staff functions.

Being limited by the evidence presented at the hearings and the submission of organization charts with presentations of the people giving testimony, it is difficult to do an accurate organizational analysis any deeper than the second level of the new organization; basically to the level of Assistant Secretary. From the organization charts of DHEW one may go deeper than three levels using the DHEW charts in analysis. Difficulty will occur when the education programs are transferred from the DHEW or other federal agency to the new ED. The best evidence available will be used to properly place the education programs in the new organization. To keep the integrity of the program relative to the

structure of the new organization, the program placement discussed will not overflow into any time after May 8, 1980.

It is evident that while boxes were rearranged in configuring the new department, one must look hard in order to determine if any changes of merit were accomplished by creation of the department. In the hearings it was stated that part of the rationale for a new education department was to combine all the education responsibilities and functions into one homogenous department, ending chaos and fostering cohesion.[1]

It will become clear in the following narrative that while much moving of boxes was done up and down, most of the programs involved were already in the education sphere before reorganization. The major programs of education, i.e., Elementary, Secondary, Post-Secondary, and other special program, received significant increases in visibility and prestige, and had a reduction in the "filtering levels" of bureaucracy with which to contend in operating the programs. For example, an increase in visibility came to all the surviving programs in that the structure of ED was of fewer physical levels. The DHEW was composed of four significant layers of bureaucracy: the Department, or office of the Secretary; the Undersecretaries of each function (the Undersecretary of Health, the Undersecretary of Welfare and the Commissioner of Education; the Office of Education and National Institute of Education; and, finally the actual operating programs. This does not take into account important programs that were attached to one of the higher levels as a special staff office, like the Office of Civil Rights and Inspector General. Excluded also are the special commissions which have an outreach function such as the National Council for Educational Research.

Generally, all the education programs would became more visible by contending with one less physical level. All programs had sub programs not educational in nature to compete with for money allocations during budget hearings. All DHEW programs no longer would have to share policy and top executive's time with their more famous and expensive neighbors, health and welfare.

The education programs would gain significant prestige when they gained department status. They would have a Secretary, not a Commissioner, to represent them at important policy committees in Congress and in the all important budget hearings. Everything the Secretary said would be newsworthy; no longer were the chief educator's words buried in the newspaper. This is important given the way that support for education or any function is gained and maintained in an open political society. The absence of one level and accompanying administrative consolidation do much for clarifying program focus in terms of highlighting the important program accomplishments. The savings in time alone would be significant. Issue and decision documents, budget tables and explanations, reports and policy papers--all would need less time working their way up the bureaucratic ladder to the top for final decision. The demand for the Secretary's attention now could be focused entirely on the issues related to education, not at all distracted by health or welfare problem. All the staff and line people would have as a general goal the betterment of education, and such focused attention could be to improve lot of efficiency in education.

Two minor education programs which evolved into larger and more visible education programs were the Non-Public Education Programs and the Bi-lingual Education Programs. The former was created by Executive Order in 1980; the latter was previously in OE and when transferred this program became significantly larger. Nonpublic education is a group of education programs of grants made to private schools of both elementary and secondary parochial schools. Nonpublic education was not raised as an issue in the testimony. Most likely, this set of programs was added by the staffs of the affected agencies. This can be done by and with the assistance of the Congressional staffs working in agreement with the Administration staffs. Implementation plans put together as early as, 1979 and as late as April 11, 1980, specify an Office of the Assistant Secretary for Non-Public Education.[2] Neither of these two education programs was discussed as a separate program issue at the Congressional Hearings.

Standard Process Units and Fixed Programs

The larger the organization being built, the more rigorous the rules used to operate the interrelated processes. For example, in a small organization many of the standard process operations such as budget, administration, management, personnel, planning, evaluation, public relations and legislation are shared among a few people. Often one person does more than one process operation. As the organization grows into a middle-sized one, the standard process operations grow larger; the operations become specialized and formal.

A large organization has many people working for it and has a need for extensive personnel support, usually more support than a single person can supply. In a large organization, the standard process operations are performed by staffs of people. Regardless of size, the standard process operations are present as an integral part of the organization.

Standard Process Units

ED contains a large contingent of the process functions; more specifically, ED has evolved some of these functions into rather large offices. For example, there are the Assistant Secretaries for (1) Public Affairs, (2) Legislation, (3) Management, (4) Planning and Budget, and the (5) Executive Secretariat. ED has Assistant Secretaries for (1) regional offices, (2) Inspector General and (3) General Counsel. The last three offices are not a comfortable fit; while they can be considered standard process units, the goals and programmatic activity of the department give these offices a heightened importance so that they transcend into a category of their own. The status of these offices in ED contribute to the increased importance of the department. As unusual as it is for an activity that is basically a staff-support function to be placed in ED; nonetheless there they are. These offices will be discussed at length later.

When examining a Cabinet organization, the standard process units can account for a rather large amount of the organization's total size. For person performing goal-

attainment work, two to three persons in staff roles support this worker, particularly in public organizations.

The high ratio of support to operating personnel results from the source of funding by public sector. In the public sector work is not done for profit; growth in the public sector is highly localized. Rationalized growth is oftentimes approved on its own merits using localized cost-effective analysis but not against a profit and loss statement.

Fixed Programs

Besides the standard process units, there are the fixed programs. Fixed programs are programmatic activities that are so specialized and of a unique nature that annual funding is usually not questioned. Budgets for fixed programs, for the most part, are not subject to serious consideration for reduction. All federal department-sized organizations have an array of fixed programs. In ED these program are usually the ones that do not fit anywhere else. They tend to be either personal educational monuments to past great Americans or deal with either a specialized minority or esoteric issues. Some of these programs have been funded for such a long period of time that any drastic changes would cause more of a constituent and budget uproar than the change is worth. Specifically, the following programs can be considered fixed: The Hubert H. Humphrey Institute, the Everett Dirksen Center, the USDA Graduate School, Howard University, Gallaudet College, the American Printing House for the Blind, the National Technical Institute for the Deaf, and the National Academy of Peace and Conflict Resolution. A couple of borderline programs are the Ellender Fellowships and the Wayne Morse Chair of Law and Politics. These fixed programs are unique and specialized, yet belong to no particular substantive program.

When the fixed programs are discounted, the remaining programs can be classified as substantive programs. Fixed programs are important and do contribute to select educational goals, but do not have a wide clientele.

Remaining Issues and Programs

With the removal of the standard process units and fixed programs, the programs left for study stand out, uncluttered by important but less prominent programs. The removal of these two elements has reduced the area under study by 53% of the total. Seventeen Assistant Secretary positions head units can be labeled standard process units. There are two administrator positions and a regional office position which are not Assistant Secretary Level. Five Assistant Secretary positions can be removed to reduce the organization clutter. These five Assistant Secretary positions of seventeen are staff-support functions and do not contribute directly to goal attainment. Twelve remaining Assistant Secretary positions are not staff type positions but substantive areas.

While the staff-support units are not directly related to the controversy surrounding the creation of ED, the units do add to the internal confusion as a large amount of personnel and fiscal resources are used by the fixed and standard process units. In the budget cycles, fixed and standard process units are considered fat. Only a limited amount fat or staff offices can be trimmed without damaging the line programs because the staff offices perform functions of planning, evaluation, civil rights, legislation, budget, personnel and a myriad of other activities. Leadership is usually the key in determining how much of the organization is fiscally reduced. The overall aim of the administration was to consolidate these overhead operations into more condensed and more streamlined organization.

Programs Outside DHEW Considered For Move to ED

The vested interests which testified had specific and organizationally-selfish aims when they spoke about the virtues of either putting various education programs in the new department or keeping them where they were.

An orderly discussion of the educational improvements required the removal of the fixed budget line-item and the supporting standard process units from the discussion. With these staff and sundry type programs addressed, attention is turned to areas of the debate

located at the center of the reorganization, programs added to the Department of Education from outside DHEW, the old department.

The line of rationale for reorganization and consolidation of education programs had been that all the programs would be moved into ED. What the administration wanted to do and what the special vested interests wanted to do were substantially different. Each interest group marched to the Congressional hearings with its own ideas of the relevance of an ED and if relevant, what programs should go into the new department. The decision of the vested interest groups about ED, its relevance, and the place of ED for the special interest group program, carried over into whether or not the interest group believed that the program should go into the new department at all.

Scrutiny of education programs in the federal government shows that a substantial number of education programs were located outside of the old office of Education or the National Institute on Education. The education programs outside OE drew most of the discussion at the hearings.

Theoretically, every existing federal department had some education program. Some departments directed education programs; for example, the United States Department of Agriculture operated the USDA Graduate School, Department of Defense ran the Overseas Schools for Dependents, and the Department of the Interior had a Bureau of Indian Affairs in charge of Indian Schools.

Other departments operated programs related to educational matters, in particular, research, demonstration, planning, and specialized grant and loan programs. For example, the National Science Foundation operated a number of programs including Student Oriented Programs; Faculty Improvement programs, Comprehensive Assistance to Undergraduates (Science), Undergraduate Instructional Improvement, Minority Institution Science Improvement, Resource Centers for Science and Engineering, Development in Science and Engineering, and Public Understanding in Science. Of the above NSF education programs, only Pre-College Teacher Development in Science and Minority

Institutions Science Development were finally moved to the new department. Under discussion for movement to ED from the Department of Justice was its two programs: The Law Enforcement Internship Program and the Law Enforcement Education Program (LEEP). Both of these programs were subsequently transferred to ED. From the Department of Housing and Urban Development, the College Housing Loan Program was slated for transfer to ED and it was moved intact. From the Department of Labor, several educational programs including the High School Equivalency Program (HEP) and the College Assistance Migrant Program (CAMP), were slated for assignment to the new ED and were so transferred. The original hearings had as part of their discussions considered the movement to ED of everything dealing with education from other departments. During the hearings the special interests lauded the development of the new department, but excused their own program for one reason or another. In most instances, programs which had not been integral to a department's functioning were given to the new department.

Programs Within DHEW

Within DHEW, there were education program besides those in the Office of Education and the National Institute for Education.

Education programs found in the Public Health Service were the Health Resources Administration's Bureau of Health Manpower, the Nursing Loans, Nursing Scholarships Programs, and the Health Professionals Direct Student Loan Program.

As originally designed, ED was to contain almost all the education-related programs in the federal system. Once serious discussions began on the new department, the vested interests, with their associates in the bureaucracy and on the Hill staffs, sought to keep their education programs where they were placed before ED existed. Everyone believed that the new department would do wonders for education in America; but this could be accomplished without their program.

For every argument for the inclusion of a specific educational program in the new department, the interests had a reason why the program should be left where it was. As a result, few education related programs were transferred to the new department.

Hardly any programs were moved to the new department. The large programs considered for move to the new department were not moved, i.e. Head Start, USDA Nutrition Programs, the National Science Foundation and the Indian Affairs Schools. USDA reluctantly let the Graduate School be considered for move as specified in the final Congressional report on P.L. 96-88 (S. 210) and in the final markup of the legislation. The loss of the USDA Graduate School would not have impacted on Agriculture's budget or personnel levels.

The move of the DOD overseas Dependent Schools was a similar matter, but with a difference. The inclusion of the Overseas Dependent Schools would take direct monitoring and operation by ED. For the first time, a federal level department charged with national education programs would be operating a school system, and a rather large one.

School systems had always been operated by local governing bodies since Colonial times and for the first time part of a federal department responsible for education generally would be acting like a superintendent of schools. For the above reason and others discussed below, the transfer of the DOD Overseas Dependent Schools to the new department would be delayed.

The Department of the Interior's Bureau of Indian Affairs had serious objections to the movement of all education-related Indian schools to the new department. Even clear assurances by the President did not mollify either the Indian special interests or some of the Indian Tribal leaders. None of the reservation schools were touched in the consideration of programs for inclusion in the new department. The Indian education programs for movement to the new department centered around targeted loans and other bootstrap programs designed for urban Indians.

The experience with moving programs to ED was generally the same throughout federal agencies. Token programs were given to the new department; programs of significance were not. The only significant program that came to the department without a fight other than those indicated above was the staff function of Civil Rights. The Civil Rights function had been housed in DHEW and in the Department of Justice.

Although Civil Rights is an oversight staff function and not a line program, the Civil Rights function is important. An overarching goal of federal assistance has always been equal access and equal opportunity; the civil rights investigators looked at the operations of the program using federal money to ensure that the program were not putting unwarranted blocks or hurdles to participation of a target population because of race, color, creed, financial situation, handicap or sex. The threat of loss of federal education funds for violations of program guidelines was a powerful means of enforcing guidelines. The civil rights investigators from DHEW were responsible for issuing the threat of withdrawing of funds upon finding racial or other discrimination.

The organization structures of DHEW and ED were reviewed as to levels in the hierarchy, standard process units, and fixed programs. The latter two--standard process units and fixed programs--are not considered in the analysis sections of this study. Fixed units such as the American Printing House for the Blind are placed in ED for housekeeping purposes only. The fixed programs units neither add to nor detract from a department's place in the bureaucracy nor its role in federal government. The standard process units have a similar affect on place and role and the process units are necessary for each department. The size of the process units depends on functions and size of the department.

All education programs considered for transfer to ED are examined and those placed within ED noted. Specifically, CE and NIE functions of DHEW were transferred to ED. Second, programs outside DHEW considered for transfer to ED but not transferred are listed. Thirdly, programs within DHEW but not OE or NIE are considered. Finally, programs from within DHEW but outside OE or NIE were transferred to ED.

Taking the analysis yet another step, in consideration of the forces at work, the political give-and-take forms around ten issues or programs. These ten programs represented about 85% of the discussions at the hearings. The remaining 15% of the hearings discussed either the federal role in education or allowed portions of the hearings of the 95th and 96th Congresses to be devoted to the debate surrounding small education program. These small program were allowed testimony as a matter of courtesy.

The ten programs bounced back and forth before both sessions of Congress. Whether or not these ten programs were included in ED is indicated below.

Program: Disposition of Program by Congress in Legislation PL 96-88 Establishing Department of Education

Department of Agriculture Program	
School Lunch & Breakfast Nutrition	Excluded
Department of the Interior	
Indian Education	Excluded
Department of Defense	
DOD Overseas Dependents' Schools	Included
Department of Labor	
Comprehensive Education	
& Training Act(CETA)	Included
Department of Housing	
& Urban Development	
Housing Loans	Included
National Science Foundation	
Science Education Directorate	Included
DHEW	
Vocational Rehabilitation	Included
Student Assistance	Included

Civil Rights in DHEW	Included
OE	
FICE/IACE	Included

Important programs such as Head Start, while debated hotly, were so strongly backed by special interest lobbying that no serious consideration of inclusion in the new department arose. Therefore, this program is not included in the above list. The reasons cited at the hearings for not including the Head Start program was that it was primarily a feeding program and secondarily a school program. The Administration was targeting the child welfare aspects of the Head Start Program for transfer to ED. Head Start countered by confusing the issue. Head Start did not separate the nutrition aspects of the program from the welfare parts. Head Start's objective was to maintain the well-being and health of the nation's children through balanced nutrition. That the program was successful and was working was another argument against changing the department placement of the program. The discussion for inclusion of Head Start in the Department of Education ended with these two arguments.

Outlined below is a structured evaluation of the perceived gains and losses of the ten programs dealt with in the Congressional hearings. To assist in the understanding of the movement or nonmovement of each of the ten programs, each program is discussed individually using the same outline. The headings of the outline are: Program Title, Did It Move?, Why/Why Not?, Any Alterations or Splitting?, Location, Positive or Negative Movement?, Process Change?, Content Change?, and Comments. Using the same outline for each program aids in an easier understanding of whether or not the total development of a new department of education did succeed in its previously state goals and objectives.

United States Department of Agriculture:

Programs: National School Lunch Program, three Child Nutrition Program, USDA Graduate School

Did It Move? No.

Why Not? Special interests had a lot to lose if the large school lunch and the three nutrition programs were moved from Agriculture to ED. Supporters of the move said that the programs are buried in USDA bureaucracy and that a move to ED would remove the duplicate reporting of SEA's to the USDA and to the Office of Education.

Any Alterations Or Splitting? Opponents of the move of these programs from USDA to ED were led by the milk lobby. Only the USDA Graduate School was slated to be moved to the ED.

Location: Not moved from USDA, remained at the fourth level of a five-level chart.

Positive Or Negative Movement? No impact since USDA Graduate School was left out of the final bill.

Process Change? USDA addressed clientele. An improvement in the coordination of the educational goals would have been likely for USDA Graduate School.

Content Change? None since the USDA Graduate School was left out of the final bill. While the S. 210 and H.R. 2444 included the USDA Graduate School in ED, the final Conference Committee Report made no mention of it. It appears that an internal compromise was made leaving the school where it was, in USDA.

Comments: Discussion of the USDA Graduate School is important because its transfer was assured up to the final Congressional Report of S. 210. This narrow based program was left out of the final configuration because of pressure put on the Congressional Staff by the USDA Staff, behavior almost impossible to document but not uncommon because of the sometimes close relationships developed in the day to day education needs of these two branches of government.

Department of Interior:

Program: Indian Education--All education programs delivering education services to American Indians in the United States.

Did It Move? No.

Why Not? The Indian lobby was much too organized for the Administration proposal to place Indian Education in ED. The Indian lobby had fought previously to prevent the dilution of their programs by alteration of the trust responsibility. The Indian lobby was well prepared. The Office of Management and Budget had not conducted a survey to determine if Indian Education should be included in the new department prior to including Indian Education in ED in draft legislation. The oversight of not conducting a survey proved to be an embarrassment. The issue of including Indian Education in ED had to be set aside until the belated survey was completed.

Any Alterations Or Splitting? Four small programs which were part of the urban education initiative in OE and which dealt with Indian Education, were transferred to ED. Two of the programs deal with urban Indians. The other two provide services and training programs for program managers, and not the clients of Indian Education programs.

Location: Moved from DHEW, Office of Education. Moved to ED, Assistant Secretary for Vocational and Adult Education. Moved from third level in DHEW to second level in ED.

Positive Or Negative Movement?: The four small programs dealing with Indians neither lost nor gained status with the change from OE to ED.

Process Change? The four programs dealing with Indians had no change in process. The programs address a select adult clientele and are content oriented. The content of the Indian education was focused on transferring skills to the Indians. The process used to support the Indian education programs was a grant mechanism directed at individual Indians.

Content Change? The target population for these four programs is too small to impact the overall goals of ED.

Comment: The Administration grossly underestimated the organization of the Indian Tribal organizations. The Indian special interest used the well established tradition of self-determination and the lack of their input to limit the extent of Indian education programs to be moved to ED.

Department of Defense:

Program: Overseas Dependents' Schools.

Did It Move?: Yes.

Why? Good administration points out the need for a program to be housed in an organization which is close to a program's missions or goals. The isolation of the staff from the educational mainstream could harm one's career if one were associated with the program for too long a time. Students in the program for a long period of time suffer from the isolation of the staff from the educational mainstream. The main reasons given by the proponents of moving the Overseas Schools from DOD to ED were: isolation of DOD schools from the mainstream of educational information, physical isolation of the post where the facilities are located, insensitive oversight of the schools by DOD, neglect of the schools by local commanders.

Any Alterations Or Splitting? No, the DOD Overseas Dependents' Schools unit was moved to ED. However, a three year transition period was established. The local military base would continue to provide support services. ED would charge back DOD for expenses of personnel and other services.

Location: Moved from the Department of Defense. Moved to Administrator of Education for Overseas Dependents, ED. In DOD the Overseas Dependents' Schools was the responsibility of an Assistant Secretary of Defense for Manpower. When moved to ED the programs were managed by an Administrator of Education for Overseas Dependents. This program moved down from Assistant Secretary of Defense, DOD, one level to

Administrator, ED. Gain for this program was in being moved into the mainstream of education activities and away from the isolation of a non education function in Defense.

Positive Or Negative Movement? Positive. The DOD Overseas Dependents' Schools made significant gains in visibility and legitimacy. The program became a self-standing unit in ED, equivalent to an Assistant Secretary. In DOD, this program was part of the task of the Assistant Secretary of Manpower and had as its chief operating officer, a person who reported to a Deputy Assistant Secretary. The Overseas Dependents' Schools, thus gain significant status in the move to ED.

Process Change? The reporting processes changed from the DOD to ED. Some reduction in communication was accomplished by removing the intermediary stop of information at the military post headquarters for clearance and implementation. Education program information and program directives could flow directly to schools located on military bases.

Content Change? DOD Overseas Dependents' Schools are not a content program contributing to the overall goals of ED but a process program, operating elementary and secondary schools for dependents of military personnel. Placing overseas Dependents' Schools in ED was administratively convenient.

Comment: The Overseas Dependents' Schools gained significantly in being moved to ED. The specific gains other than ending professional isolation and clarification of communication channels cannot be gauged until the move is implemented in 1982*. ED gained also. The addition of the DOD Overseas Dependents' Schools doubled the size of ED and made ED more visible as a department.

* NOTE: As of May, 1986, the DOD Overseas Dependent's Schools had not been transferred to ED.

Department of Labor:

Program: High School Equivalency Program and the College Assistance Migrant Program.

Did It Move? Yes.

Why? Confusion and duplication between DOL and DHEW, OE, relative to High School Equivalency and College Assistance Migrant Programs of DOL. That the CETA supported DOL programs the previous arrangement confused students was a sufficient argument to have these two DOL programs moved to ED.

Any Alterations Or Splitting? No, the administration requested only that the two CETA supported DOL programs be moved from DOL to ED.

Location: Moved from DOL, deep in the organizational structure. The two DOL programs were administered by different bureaus, adding to the confusion and duplication. These two programs were to the Assistant Secretary for Vocational and Adult Education. The CETA program gained by moving out of a Bureau in DOL and into an Assistant Secretary level (two levels) in ED.

Positive Or Negative Movement? Positive. The two DOL program were moved to ED intact. Being housed in a bureau within the Assistant Secretary's organization increased visibility. The rising problem of youth unemployment, particularly among low income and minority youths, make these two DOL programs important. Housed in ED at a higher organizational level than in DOL, the movement of the two DOL programs to ED had positive results.

Process Change? No process elements are part of the two DOL programs.

Content Change? Clientele programs aimed at specific target populations, the two DOL programs had a content change. The increased visibility and legitimacy raised the status, and thereby, helped their budget justifications. Moving the two DOL programs into ED improved the coordination to operate skill transfer courses for low income populations. These programs did not overlap or contradict any existing programs in ED.

Comment: No comment.

Department of Housing and Urban Development:

Program: College Housing Program

Did It Move? Yes.

Why? Many believed that the College Housing Program, HUD, operating largely on college campuses, was closely related to OE's Academic Facilities Programs. To move the college housing program to be close to the college facilities program made good sense.

Any Alterations Or Splitting? No, the administration asked for only one program to be moved from HUD to ED, this was the College Housing Program.

Location: The Housing Programs was moved from Department of Housing and Urban Development, deep within a program bureau, to the ED, to an Assistant Secretary for Postsecondary Education position. This is a two level move up in the hierarchy for the Housing Program.

Positive Or Negative Movement? Positive. The transfer moved this scattered and invisible program element from oblivion into a position having increased visibility and accountability.

Process Change? Process. The College Housing Program had the responsibility of awarding, processing, giving program oversight, and closing out loans and grants made to post-secondary institutions. There was improvement in visibility and accountability by moving this Housing Program into the ED and having it joined with the Academic Facilities Program, OE.

Content Change? This program not too important for it had no large budget. The Housing Program had only old loan repayments to use as program funds. This program taken separately and apart from other similar programs is predominately process, only when combined with related program does College Housing Program begin to change educational content.

Comment: No comment.

National Science Foundation:

Program: Programs within the Scientific Directorate, NSF.

Did It Move? Yes.

Why? Because the Scientific Directorate is aimed at students and teachers in elementary, secondary and post secondary (nonresearch) schools, Congress saw fit to move them from NSF to ED and because moving these program would not impair the research activities of NSF. The programs would be kept intact and not buried deep in a bureaucracy.

Any Alterations or Splitting? NSF is a research organization. The Scientific Directorate programs being debated were ones that researched science problems and disseminated research findings to education institutions. The administration only wanted to move to ED the programs that targeted their outputs toward students and teachers, not the research oriented program found in NSF.

Location: Moved from the National Science Foundation.

Moved to ED, Assistant Secretary for Educational Research and Improvement. The Scientific Directorate from NSF where it was a Bureau sized organization to the ED where it was enlarged by the addition of the existing science education programs from OE. Moved up in ED one level from NSF. In NSF the science programs were in an Directorate (bureau), in ED the science programs were in an Assistant Secretary position.

Positive Or Negative Movement? Positive. These small programs were not pure research oriented programs being housed in a research organizations. NSF is strongly research oriented. The programs profited by increased visibility, being in mainstream educational activities.

Process Change? No significant process changes. The results obtained by the programs were passed to the states and their education institutions.

Content Change? Content contributions added greatly to existing knowledge used to create curricula for secondary and post-secondary institutions.

Comment: The science programs gained significantly in prestige being in ED. Critics claimed that a loss of credibility would happen as non-science types would be doing the planning and evaluation of what research results would be disseminated to the classroom.

DHEW:

Program: Vocational Rehabilitation

Did It Move? Yes.

Why? Because Vocational Rehabilitation needed a broader effort in order to develop an all encompassing program that would deal with the problems of disability. Moving Vocational Rehabilitation from DHEW to ED would add the broadness required because the Vocational Rehabilitation program had a strong education element so Vocational Rehabilitation could hone its focus to the educational goals and away from the job training goals. Ending the duplication of education facilities would enhance the opportunity for cooperative arrangement with state and local levels. The Vocational Rehabilitation program transfer came about because of a memoriam to the late Senator Hubert Humphrey. Mrs. Muriel Humphrey, serving out her late husband's term, added the Vocational Rehabilitation transfer rider to the bill H.R. 13343 because of the late Senator's interest in helping the disabled. Who was going to go against the reputation of the late Senator Humphrey or his wife?

The administration tried to thwart the attachment of the Vocational Rehabilitation rider but Congress was not going to violate honoring a colleague's memory only based on rationality.

Moreover, these programs did deal with students, but the degree to which these programs deal with the usual student population of schools and colleges is debatable. Are the programs training, or are they readjustments to disabilities through training? It appears that Congress believed these programs to be closely aligned enough to education to warrant their move to ED.

Any Alterations Or Splitting? No. The Congress selected the programs for the move from DHEW to ED, all programs managed by Commissioner of Rehabilitative Services and the Director of Handicapped Research, DHEW.

Location: Moved from DHEW, Rehabilitative Service Administration. Moved to ED, Assistant Secretary for Special Education and Rehabilitative Services. Given the location of RSA, DHEW, the Vocational Rehabilitation program made a lateral move; it gained in visibility.

Positive Or Negative Movement? Positive. Though the programs had their administration (Rehabilitative Service Administration) in the "W" of HEW, the move to ED elevated them from the commissioner level to the Assistant Secretary. The change in title of the chief officer would do much for visibility, budget, legitimacy and persuasion on the Hill.

Process Change? The Vocational Rehabilitation program usually run by the state agencies had a strong process element. The existing cumbersome channels of communication and oversight between the central office and the field offices located in each state eased.

Content Change? The rise in status would help these programs in the long run relative to gradually increasing budgets, avoidance of further burying into the bureaucracy through reorganization. As far as program efficiency there is no evidence that these programs had any serious problems. Most of the operations was done by the LEAs and SEAS.

Comment: No comment.

Program: Student Assistance Programs

Did It Move? Yes.

Why? The operations of Student Assistance programs would be more efficient and effective in the ED because these student assistance programs had a client population of students in educational settings.

Any Alterations Or Splitting? Yes. Not all the student assistance program targeted for move by the administration were moved. The Law Enforcement Education Program and Law Enforcement Assistance of the Department of Justice seen primarily came to ED. The health oriented student assistance programs had too strong a lobby and so none were transferred.

Location: Moved from the Department of Justice, deep inside a bureau. Moved to ED. Assistant Secretary for Postsecondary Education. This program gained one level in the move from Department of Justice to ED.

Positive Or Negative Movement? Positive. Law Enforcement Education Program and Law Enforcement Assistance gained increased political visibility. Given the small number of persons involved and the small budget, student assistance programs were too to small to count on survival.

Process Change? The student assistance programs are too small to incorporate their own process elements such as personnel, budget and computer services; and thus, have only supporting process elements.

Content Change? Content. The association with other similar loan-grant-internship type of programs in the ED will improve Law Enforcement Education Program and the Law Enforcement Assistance programs. Programmatic decisions would be made on the basis of results of program activity rather than on obtaining what was left. Potential for growth in their budget is more likely because more pressing priorities in Justice will no longer prevail over Law Enforcement Education Program and Law Enforcement Assistance Program needs. The move of these programs from Justice to ED should be good for these programs.

Comment: No comment.

New or Severely Revitalized Programs:

Program: Federal Interagency Committee on Education and Intergovernmental Advisory Council on Education.

Did It Move? In one sense, no. These program were created by the legislation and had not existed before in the current form. The Federal Interagency Committee on Education had been in existence, as the National Council for Educational Research, but did not meet often enough to be effective and had a mix that did not clearly represent the population. P.L. 96-88 replaced this advisory program. Given the new scope of the FICE/IACE there is really no comparison.

Why? ED and the person in states and localities, and between ED and other federal agencies having federal programs with educational related elements. The new department should have better communication with states, cities and federal agencies than OE had.

Any Alterations Or Splitting? No. FICE/IACE were created anew in detail through precise suggestions made by a wide range of special interests. The advisory board, the National Council for Educational Research, was done away with and these two stronger advisory panels were put in its stead.

Location: Created by the legislation and placed as a staff office of the Secretary with a separate Deputy Under-Secretary in charge of each. FICE/IACE moved from being the NCER, a staff function in the Secretary, DHEW office to being two distinct staff functions. Each was assigned to an Under-Secretary. With the elevation of the Assistant Secretary of Education to Secretary, ED, the FICE/IACE moved up one level.

Positive Or Negative Movement? Positive. Obvious structural increases in ways of communicating and exchanging ideas and information relating to program needs at the local level were created. The close proximity to the Secretary by this official participation on the board and him chairing the meetings guarantees that much more attention would be given to the concerns of the education programs and increase the hearings at the White House.

Process Change? FICE/ICAE as advisory groups have a strong process element. The major problem being solved by FICE/ICAE group was the one of coordination of the disparate fragments of local problems and needs. Until this legislation the usual channels of communication were awkward in the passing of information and what the advisory body had to recommend usually unheard.

Content Change? These advisory bodies being located as staff offices of the Secretary dealt with content policy issues having great substantive sway over the problems encountered on a regular basis in the Department of Education. The inclusion of both the top bureaucratic leaders of other agencies and the state education leaders was a profound move in the direction of keeping on top of major overarching educational policy matters.

Comment: The gains by FICE/IACE were significant. It evolved from one weak function, NCER, to two reinforced activities designed to improve communication from outside the ED to inside the ED.

Office of Civil Rights:

Program: Civil Rights

Did It Move? Yes. The civil rights function has an enhanced activity in the ED. All government agencies have an internal equal employment opportunity oversight program which is called usually the office of Equal Employment Opportunity. This Office does internal monitoring to ensure no employee has been mistreated in terms of prejudice on promotion or assignment. In ED the office of Civil Rights has the same function of oversight; however, the oversight is exercised on external agencies for all the education programs that utilize federal moneys. The external oversight takes actions which routinely make news.

Why? Civil Rights move to the ED was normal. A proportion of DHEW and all other Civil Rights offices gave a share of their personnel and budget in direct ratio of the programs shifted to ED to total programs.

Any Alterations Or Splitting? The DHEW Civil Rights Office was split with over 80% of the DHEW function transferred to ED. Other government agencies made further additions to staff and resources as their programs were moved to ED.

Location: Moved from the staff office, DHEW, OS. Moved to Assistant Secretary for Civil Rights, ED. Several of the smaller components of Civil Rights were moved to lower levels in ED.

Positive Or Negative Movement? Positive. The increased status for the function itself is great. With the Civil Rights' new enhanced location at Assistant Secretary level, Civil Rights was in a position to make substantial impact on the people and organizations that violated law and statute relative to civil rights.

Process Change? None. In fact the process of civil rights programs increased dramatically. See Below, Content Change.

Content Change? Content Civil Rights is the only program that affects both Content and Process. Civil Rights affects Process because Civil Rights oversight responsibility is inherent in education programs at level. The Content is affected because it has created an environment that is conducive to minority participation in programs that have as a target population ethnic and racial groups that have heretofore been neglected. Civil Rights literally permeates the myriad education programs throughout the country.

Two other program gained significantly from the creation of the ED: Bilingual Affairs and Non-public Education. Bilingual affairs, while not debated in the hearings moved from a staff office in the Office of the Secretary, OE, DHEW to a line program, Director of Bilingual Education and Minority Language Affairs, at least a four level leap from an internal staff office to a line office the size of a Bureau. Non-public education was created by Executive Order by President Carter. This program was not debated during the hearings. The elevation by executive order to program status and then its transfer to the ED at the Assistant Secretary level is a significant gain.

Comment: No comment.

The White House, although agreeing with the Congressional findings and purposes, was not entirely in agreement with the contents of the bill. The administration wanted a bill which brought every one of the diverse educational programs within the structural confines of the new department. Specifically, administration officials wanted to include in the new department the education-related parts of the Department of Agriculture, the Veterans Administration, the Public Health Service, the of Defense Overseas Dependents Schools. The White House officials were disappointed because the Congress did not adequately address the Administration's rationale for a new Cabinet-level post for education, the efficiency and streamlining of program administration gained from a high level organization.[4]

The administration immediately launched study teams for all programs targeted for possible transfer to the new department. In-depth attention by the administration's study teams to the program categories below can be regarded as the basis for the assembly of program into the new department:

- Elementary and Secondary Education
- Post-Secondary Education
- Special Education and Rehabilitation Services
- Vocational and Adult Education
- Civil Rights
- Overseas Dependent Schools
- Field Offices
- Migrant Education
- Law-Related Education Indian Education
- Non-public Education
- Bilingual and minority Language Affairs
- International Education[5]

The above list was used in the later formulation of the department although not all of these programs survived the hearings or Congressional work sessions. The administration and other special interests lobbied hard to keep or omit portions of the programs in the final configuration.

The testimony of the administration in the Congressional hearings focused on influencing Congress to pass the legislation, stressing the rationale of efficiency, equal access, higher educational standards and better programs that would give better performance. First, many a Congressman addressed his peers during Congressional hearings on his own individual stand on creation of a new department sized organization for education programs. Next competing special interest groups in large numbers came prepared to influence the Congress and to win the position of the interest groups in the final legislation.

The hearings were convened over two Congressional sessions, first, in the House of Representatives during the Second Session of the 95th Congress and next, in both the House and the Senate during the First Session of the 96th. In the House the education department legislation was H.R. 13343. During the next Congress, the education department legislation was H.R. 2444 in the House and S. 210 and S. 510 in the Senate. In the House of Representatives, the hearings were assigned to the Committee of Government Operations' Subcommittee on Legislation and National Security. Hearings were held in July and August of 1978 and in February of 1979. In the Senate, hearings were held by the Senate Committee on Governmental Affairs in February of 1979. During these hearings, a long line of witnesses testified in sessions lasting from three to five days, with interruptions only for roll calls and votes on the House and Senate floors.[6]

The legislation for creation of a new Cabinet Department of Education was introduced into the 95th Congress on June 29, 1978, by the Honorable Jack Brooks, Texas, Frank Thompson, New Jersey, and Michael Blouin, Iowa. Legislation for creating a department of education, H.R. 2444, was introduced in the 96th Congress on February 27,

1979 by the Honorable Jack Brooks with 77 co-sponsors. In the same Congress, on the Senate side, S. 210 was introduced on January 24, 1979 by Senator Ribicoff, Connecticut, and 44 co-sponsors. After extensive hearings, education department legislation became law on October 17, 1979. The education legislation came strongly supported and recommended by President Carter and the powerful National Education Association.

Vested interests were involved in whether or not there should be a new department. By the end of the hearings a large number of interests groups had offered input in an attempt to shape the structure of the new Department of Education. Some interest groups had problem with the structure and organization; other interest groups had less concrete concerns and wanted shifts in language and philosophy. While the Congressmen were attentive and courteous to the participants, none of the Congressmen seemed prepared to alter their views. At times, questions were put to the participants that gave further support to a Congressmen's position. A member of Congress tended to question the presenters only when positive and supportive responses would be received. When unsure of the response, the Congressmen remained silent. The first hearings, in the second session of the 95th, were unusually detailed and thorough in covering all aspects of the proposed new organization. Each of the three major forces--the special interest groups, the Congress and the executive branch--took every opportunity to expound an its own viewpoint. Because of a lack of time and a heavy Congressional calendar, the bill drafted to create a new Department of Education never reached the third reading in the 95th Congress. The bill to create a department of education resurfaced during the 96th Congress for further hearings and was ultimately passed. U.S. Representative Jack Brooks of Texas, the chairman of the House Subcommittee, opened the hearings during the 95th session with a non-committal statement about the need for an new educational structure:

> A separate Cabinet-level department will enable the Federal Government to be a true partner with State, local, and private education institutions in sustaining and improving the quality of our education system.[7]

From the beginning, all participating interests knew that politics were involved. The Congressmen on the committee and other Congressmen appeared before the subcommittee individually to express personal viewpoints on the creation of a Department of Education and the feelings and emotions of constituents about a new department of education.

A clear difference existed in the content of testimony heard by the House during the second session of the 95th Congress and testimony heard before the House and Senate in the first session of the 96th Congress. In the hearings before the 96th Congress, basic opposition to the creation of a department was absent from most of the prepared remarks of the witnesses. Basic opposition to the department was for all intent and purposes hammered out during the 95th Congress and the need for a department settled in the 95th Congress. A different type of opposition to the creation of a department of education was evident in the hearings of the 96th Congress. As if all had agreed that the battle to see who controls the game and its rules bad been lost, the focus of the hearings shifted from the need for a department to the components of the department and the focus settled on either the omission or inclusion of a particular program of a special interest in the new department.

Once it became evident the bill to establish a Cabinet-level Department of Education would pass, some previous opponents of a department of education attempted to restructure the game by either entrenching their special interest in the new organization or by placing their particular organization unit at a position more advantageous than previously envisioned. For example, programs such as Indian Education, Overseas Dependent Schools, Civil Rights and other very select programs dealing with discreet populations were targeted for attention because of their vote getting appeal.

Most of the attention came from special interests outside of the political executive hierarchy, but some Congressmen had specific reservations about Indian Education, DOD

Schools and Civil Rights programs. The concerns became ever more specific once it became clear the bill to create a new Department of Education would die in the closing session of the 95th Congress.

On Monday, March 26, 1979, Representative Brooks convened his colleagues on the Subcommittee of the Committee on Government Operations House of Representatives for the First Session of the 96th Congress to move on the creation of a Department of Education. The minutes of the hearings show a subtle shift of focus of the witnesses. The special interest groups concentrated on the details of the programmatic content and the placement and titles of the personnel and offices. Clear political signals had been given by the administration and supported by the legislature that the education bill would be pushed along to final enactment. Suave interest groups realized that it would be fruitless to attack the basic concept; their objections would have to focus on specific segments of the bill in order to protect their interests. Witnesses chipped at the components of the new department in efforts to keep their particular influence strong in the education area. The special interests were most active in the tactics and strategies designed to produce a department that fitted their specific needs.

Chairman Brooks re-emphasized the committee's feeling of determination when he stated in his opening remarks of the hearings before the 96th Congress that the legislation would:

> accomplish two significant objectives: first, to give education the status it deserves on the Federal level; and second, to provide an environment for more efficient management, operation, and control of the vast health and welfare programs of the Government.[8]

Removing Standard Process Units and Fixed Programs

In each large organization there are fixed programs and standard process units for support functions. The fixed programs do not forward the primary purpose of the

organization; nonetheless, the importance of the programs makes any effort to reduce the budgets or change the purposes bureaucratically and politically unthinkable because mere consideration of change raises a clamor. The support functions of the standard process units are present in any large organization in order to support the organizational mission. The support functions are processes like budget, personnel, computer support, operations, etc. These support functions cannot be cut or omitted without having a very negative impact on the accomplishment of the organization's mission. Because of the attention OCR and IG received in creation of the Department of Education, both of these standard process units or staff activities unlike all other support process units will be considered below in more detail.

The administration brought attention to the goal of efficiency and honesty by specifically mentioning the proposed transfer of the education-related responsibilities of the Inspector General HEW, to a newly created office of Inspector General, ED. It used the phrase "relating to the functions transferred to the Secretary (of Education)" as intending to incorporate all activities of the Inspector General of HEW that relate to the new responsibilities of the Secretary of Education. Specific reference in the law was made to place the office at the same level of the organizational hierarchy as it used to be in HEW.[9]

McIntyre discussed three process areas that would be changed by the new ED. These areas are personnel, budget, and regulation development. Personnel needs would change as new and different type and levels were needed in the department. Consolidation would reduce program operation duplication but would leave a surplus of personnel. The duplicate personnel would be released and total numbers of personnel reduced. McIntyre stated that between 350 and 450 personnel positions be eliminated because of the duplication of personnel in areas such as congressional relations, policy development, planning, evaluation, budget, personnel, administration and public affairs. The money savings would be between $15 and 19 million. McIntyre presented a plan to increase the personnel executive levels in ED by 50 supergrades.

McIntyre cited the inadequate management capacity as the reason for the creation of 50 new supergrade positions. McIntyre said that the budget processes would change with the reduced personnel duplication. No new funds would be needed to operate ED beyond funds already allocated in current budgets; increased efficiency in budgeting and auditing would save $100 million. The $10 million transition cost would be taken from existing operating money. In DHEW, 25 offices, including 11 offices in OE, 4 offices in Assistant Secretary for Education, and 10 offices in Office of the Secretary, participated in preparation and review of the OE program budgets. In ED the number of offices dealing with the ED budget would be 10. The reduction in the number of offices dealing with the budget would yield a 40% saving in time required to prepare the education budget.[10]

Unnecessary delays in development and issue of regulations would end with the new department. To develop and issue routine regulations in DHEW for OE takes an average of 519 days, nearly 1 1/2 years. The shortest time for development and issuance of regulations had been 220 days and once development and issuance of a regulation took 1296 days, more than 3 years. In ED, the routine time would be approximately halved by elimination of 15 offices from the regulation process.[11]

McIntyre built a case for ED by outlining improvements in process that would improve the content of the education program. Streamlined processes and a larger number of executive managers would improve the content of the substantive education programs in ED. Putting like functions together would improve performance and efficiency.[12]

The Remaining Programs

Ten programs were identified as being the focus of issues involved in deciding whether or not there has been any substantive change in the education function of the Federal Government. All other programs were excluded because to determine change in the Federal role they were unimportant. Examined programs are grouped and listed below.

These programs are grouped in relationship to being inside or outside DHEW and by degree of change wrought by the proposed bill to create a ED.

Programs outside DHEW:

(1) USDA Nutrition Programs

(2) DOI Indian Education Programs

(3) DOD Overseas Dependent's Schools

(4) DOL Education Programs

(5) HUD Programs

(6) National Science Foundation Programs

Programs within DHEW:

(7) Vocational Rehabilitation Programs

(8) Student Assistance Programs

New programs or programs with substantial change:

(9) FICE/IACE

(10) Office of Civil Rights

From Outside DHEW

USDA Nutrition Programs:

A stand on whether or not the nutrition programs would be moved to the new department was taken by the President, the Congress and the Special Interest groups. The nutrition programs designed to provide wholesome meals to targeted populations were: National School Lunch Program, School Breakfast Program, three small feeding programs and a complimentary nutrition education program.

The administration wanted the nutrition programs moved to ED to simplify their operation and management. The administration

believed that these programs would be an important part of the programmatic responsibility of Education. Since the target population was mainly children in the educational systems, moving the nutrition programs to ED made good management sense in order to reduce duplication in paperwork and reporting requirements, especially the reporting workload of the school administrators.

The Congress did not wish to move the non-nutrition programs from the Children's Bureau, USDA to ED because the nutrition programs were model programs in terms of level of success in delivering meals to children and management. There was a move to consolidate the feeding portion that grew from health concerns of pre-natal program of DHEW.

The special interest groups were divided on whether or not the nutrition program should be moved to ED from USDA. Some special interest groups saw the advantages of a move from USDA to ED of nutrition programs as a way to strengthen the group's influence in the nutrition programs because the movement of a large program such as the nutrition program to the new department would create early-on disruption in the new department. Such disruption of relationships and the establishment of new relationships would allow special interest an opportunity to increase special interest influence in the new department and the nutrition program. Other special interest groups either objected to any movement of a programs, or supported the new department as long as the nutrition program of concern were not moved to the new organization. Both Congressional support and Special Interest support were against the transfer of the Nutrition program to the new department.

Administration: Since the nutrition programs were administered mainly by the State education agencies and at the local level by local education agencies, the administration believed the federal Department of Education rather than the Department of Agriculture would be in a significantly better position to work out specific administrative responsibilities and requirements. Locating these feeding programs and nutrition programs in the new department would increase management possibilities to simplify and

standardize the administrative requirements, which, in turn, could lead to a reduction in red tape and paperwork burdens. Further, the nutrition programs would give breadth to the new department. The nutrition needs of the nation's children are the responsibility of the schools and the schools are the responsibility of the Department of Education. A transfer of nutrition programs from USDA to ED would reflect that situation. The Department of Agriculture, meanwhile, would continue to provide commodity support to the nutrition programs.[13]

Also Private Schools get direct aid vis-a-vis the USDA programs where state education agencies cannot give aid to private schools because of the church-state conflict and are forbidden by state constitutions to assist religious schools. Many would want Nutrition out of USDA so that ED would support the public schools and stop the drain of scarce resources to the private religious schools.

Congress: Representative Fred Richmond was against creation of the Department of Education because he did not want the child nutrition programs moved from USDA to the new organization. As chairman of the Subcommittee on Domestic Marketing, Consumer Relations and Nutrition, Representative Richmond maintained that current location of child nutrition programs in the Department of Agriculture was appropriate. He extensively detailed disadvantages of the move of nutrition programs from USDA to ED; he saw no gains in efficiency; and he saw added bureaucratic red tape.[14]

Representative Jack Edwards spoke against the transfer of nutrition programs from USDA to ED. Initially Representative Edwards specifically pointed out Head Start, Indian Schools and the Nutrition program as programs that should be in any new department, but the final committee vote did not include the nutrition program in the final configuration.[15]

Senator Robert Morgan, speaking before the 96th Senate, contended that establishing a separate structure for educational programs would expand the bureaucracy and cost more, not less, money. Education policy-making, he said, would worsen because education specialists and leaders are not necessarily the best policymakers. He cited the

success of the Head Start program, which was not operated by educators. Even Congress was aware of this, he said, for it did not include that program in the new bill.[16]

Special Interest Groups: The president of the NEA, Mr. John Ryor, said that his group had strongly advocated for a Department of Education for years as a central focus to educational decision making. The NEA was interested specifically in having the child nutrition programs, including Head Start in the new department. The reason for such support was "simplicity of operation."[17]

Ms. Ellen Haas, Director of the Consumer Division of the Community Nutrition Institute, said her group opposed the transfer of the food programs to the new department because it would disrupt benefits to children and not be in the best interests of the nation. A transfer from the USDA would be bad for schools, bad for agriculture, and bad for children because the proposed transfer of child nutrition programs would erect a new and unnecessary barrier in coordinating and strengthening the federal role in nutrition education and research efforts; transfer would result in further frustration and fragmentation without any real benefits.[18]

Mr. William E. Murray, representing the National Rural Electric Cooperative Association, also spoke in opposition to the transfer of nutrition program to the proposed new department:

> If the child nutrition programs were transferred to the Department of Education, there would be the danger that they might be relegated low priority in competition with educational programs which that department ible for and would be its major concern.[19]

The nutrition program in its present location receives no status, no prestige and no political visibility, therefore it should be transferred to the new department for the program is too important to the nation's children to be buried four layers deep in the Department of Agriculture. Located in the Department of Education the program would be directly under the Secretary of Education, and so located, it would serve as an example

of the federal government's commitment to child nutrition as part of the educational process.[20]

Ms. Susan Fridy, Director of Consumer and Nutrition Program and Legislative Representative of the National Milk Producers Federation, was short and to the point.

> The National Milk Producers Federation has absolutely no objection to the establishment of a Department of Education, but it does voice its objection to the proposal that the nutrition programs be removed from the administration of the USDA. The reasons are simple: The USDA has a strong record in developing the child-feeding programs, the USDA is responsible for establishing national nutritional standards, a department of education has no longterm vested interest or concern in the relationship of food production and processing with school lunches. Coordination is the issue at hand. Coordination of education program should be within the ED. Coordination for food programs must be within the USDA. There is no reason to move the Food and Nutrition Service from USDA. The National Milk Producers Federation urges this committee to consider the excellent record of USDA and question whether any agency can improve upon this record. If no substantive improvement can be made, we see no point in disrupting a well-run set of programs.[21]

Mr. Shelby E. Southard, Director of Public Affairs for The Cooperative League of the USA, explained the League had no position on the creation of a new department. However it did oppose the transfer of the nutrition program from USDA to ED. It is poor management, he said, to remove a program such as nutrition from its place in the USDA and place it in an untried bureaucracy (the ED), and expect it to work. Educators would have other priorities than the administration of nutrition program. Further, these educators would be generalists; these programs need to remain in the hands of specialists.[22]

Indian Education Programs

Different opinions existed on the question of whether or not the Indian education programs should be moved from the Department of the Interior, Bureau of Indian Affairs, to the new education organization. The Indian Education Programs involve the teaching of over 50,000 Indian children in reservation schools, the responsibility for over 182,000

Indian children in public schools not on reservations, and varied continuing education programs targeted for the Indian population in general. The administration wanted to move the Indian Education Programs to ED in order to consolidate and incorporate the program into existing categorical programs which were slated for the new department. Congress was not interested in moving the Indian education program to ED because the Indian special interest groups did not want the change. The Indian special interest groups, largely made up of inter-tribal groups, aggressively protested the consideration of moving Indian Education Programs to Ed from the Department of Interior because the inter-tribal groups saw such a change, if successful, as the beginning of the abrogation of the Indian Trust responsibility. Only the National Education Association supported the a move of Indian Programs to ED on the grounds that the move would provide the groundwork for comprehensive planning and policymaking in terms of Indian education.

Administration: Indian education responsibilities would move to the new department, and would include the operation of the Bureau of Indian Affairs schools, the responsibility of the 50,000 Indian children students in reservation schools, the Johnson-O'Malley program which supports the education of the 182,000 Indian children in public not on reservations, and the various continuing education programs targeted specifically for Indians, such as student assistance, adult education, junior college-community college support. The 1979FY budget for the education of Indians was over $250 million. The placement of all the Indian education efforts within one department would encourage the development and implementation of comprehensive and consistent policies. McIntyre said that placement of Indian programs in ED would offer more opportunities for improving the educational experience of Indian children and adults than placement in the Department of Interior. He did not define what the administration meant by "improving the educational experience". McIntyre drew particular attention to the fact that the administration was sensitive to the long-standing and traditional

relationships, in particular the trust relationship and offered a letter from President Jimmy Carter to emphasize the fact.

> This transfer will not change the special relationships between the government and Indian tribes and Indian people in any way. These relationships include Federal trust responsibilities, Indian self-determination, and Indian preference in hiring. My goal is to improve the delivery of education services to Indians while maintaining these special relationships.[23]

Congress: Senator Ted Stevens had a specific reservation to the proposal to place Indian Education Program in ED; he thought further study of the idea of placing the administration of Indian Education within the new department was wasteful. Stevens said the placement of Indian Education Programs in ED was not a bad idea but the idea had been studied several times. Each study attested that the operation of schools by ED was poor policy.[24]

The study by Dr. Rufus Miles, costing $17,240, said placing Indian education in an organization other than the Department of Interior would be a bad idea. The General Accounting Office had 10 similar studies concerning improvement of Indian education supporting Miles' conclusions. Stevens cited a study by Dr. Rufus Miles and 10 GAO studies, in a period of over three years costing $746,171 in total concluded that placement of Indian Education in the Bureau of Indian Affairs within the Department of Interior was the best placement for the Indian programs. Senator Stevens was trying to convey the point that Congress should leave Indian Education alone.[25]

Special Interest Groups: Placement of Indian Education Programs was at issue with four groups representing the interests of American Indians. The National Advisory Council on Indian Education (NACIE), the National Congress of American Indians (NCAI), the All Indian Pueblo Council and the National Tribal Chairman's Association spoke against inclusion of Indian Education programs in the new department.

The NEA supported the transfer to ED of the Indian educational program within the Bureau of Indian Affairs, Department of Interior. Indian Education Programs would report directly to the Secretary of Education, a placement that would not only permit but also encourage the first comprehensive plan and comprehensive policy for Indian education.[26]

Mr. Thomas A. Thompson, Chairman of NACIE, wanted to guarantee the invincibility of tribal trust status, Indian preference, Indian self-determination and equality of treatment in all federal programs. NACIE wanted the following elements included in any new Department of Education: an Assistant Secretary of Indian Education, who would be a person of Indian descent; guaranteed maintenance of the trust responsibility; development of a comprehensive plan and policy for Indian education; assurance that the Bureau of Indian Affairs (BIA)schools would always remain Indian schools; implementation of Indian preference would be for all Indian education; phasing in of BIA programs; specific wording when formally mentioning Indians; and a guarantee than no Indian or organization now receiving funds would lose funds during enactment of the legislation. While the NAM wanted all of these, they insisted on three: appointment of an Assistant Secretary of Indian descent, maintenance of the trust responsibility and the authority of the Assistant Secretary to go within the department and into other agencies an behalf of the Indian, working for better Indian education.[27]

Mr. Albert W. Trimble, Executive Director of the NCAI, said his group opposed the transfer of the BIA program into the ED. The current level of success in educating the Indian, be said, is because the federal system is flexible enough to allow tribes to pick and choose from an array of options, including options such as Title I and Title VII. Mr. Trimble said: "So far we have seen no assurances that the proposed Department of Education will guarantee the continued availability of such options to tribes."

The current Office of Education, he said, was unable to adapt its programs and offices to the specific needs of any segment of the national population. OE makes specific

services available to those who choose to apply to them. The process of application is on a competitive basis, not entitlement. Mr. Trimble developed several points along the line that such a transfer not only would be managerially unfeasible, and possibly unconstitutional, but also would violate the administration's earlier guarantee of the continuance of these programs within the BIA. The NCAI saw this element of the bill as the first step in administratively abrogating the special trust relationship under the guise of reorganization.[28]

The All Indian Pueblo Council, represented by Chairman Deflin Lovato and with several additional Pueblo governors in attendance opposed the transfer for the same reasons. The Pueblo Council, made up of the various Pueblo governors, supported a national school board only with guarantees that the Indian be properly represented. The Council believed that Head Start should not be made a part of the transfer to the new department, for Head Start is a community-based program and not an educational or institutional project. The representatives stated that if these provisions were not assured they would work against the passage of the new department.[29]

National Tribal Chairman's Association Education Director Pat Locke said 99 per cent of the tribes wanted to stay where they were in the BIA. She hit hard on the fact that the Indians exchanged vast territories for perpetual services in education, health and social welfare.

> We expect and require those programs, so our people can survive in both the Indian world and in the white world . . . We are not minorities. we are tribal governments and the majority of the tribal governments say no.

Ms. Locke said the Association believed the new department would inadequately safeguard the trust responsibility and eligibility, safeguard the cost effectiveness of Indian programs, protect self -determination and educational direction, and insure Indian preference.[30]

Department of Defense Overseas Dependent's Schools

One of the largest programs to be considered for movement to the new department was the Department of Defense's Overseas Dependents' Schools. This program had the mission of teaching the children of the military dependents worldwide; wherever there was an American military base, there would be a dependent's school. If such a move were approved, the new department would be responsible for the direct operation of a school system with over 165,000 school children. This interconnected system of schools, while being large and complex given the geographic dispersion, really was a stepchild to the parent organization. The teaching of children on military bases was not related to the primary military mission and even with the best intentions, did not receive top priority on any local problem. In particular the hearings brought out the isolation and the lack of educational state-of-the-art practices that was present in the school system. Congress was hesitant because of the confusion such a move would bring: incorporating an operating school system in the policymaking organization. Congress was concerned that the primary mission of the new department did not include direct operation of a school system. The special interest groups wanted the schools brought "in from the cold" so that the schools could profit from the influence of current educational programs and policies.

Administration: McIntyre stated the administration's belief that the DOD schools should be transferred to the new department. The Department of Education would have the lead federal responsibility in assuring high quality education and equal educational opportunity for all citizens, including the 165,000 students in the DOD schools. He was quick to point out that the transfer would be a phased to insure an orderly transition and to guarantee effective management of the overseas schools. McIntyre recommended that a delay of three years be used before a transfer process begin.[31]

Congress: Representative Jack Edwards believed that the Overseas Schools were too far on the periphery of educational programs to be included. The proposed organizational arrangement would not be able to administer such a program without a lot of confusion.[32]

Special Interest Groups: Two groups who addressed this issue were the European Congress of Parents, Teachers and Students and the American Vocational Association.

Mr. Michael Austin, Vice-President and Legislative Chairman of the European Congress, was strongly in favor of both the proposed department and the transfer of the DOD program to it. He was concerned that their closed parochial military-oriented system was drifting further away from the mainstream of the American educational process and the military structure was unable to make the required adjustments to bring it back into line.[33]

Ms. Carol Kimmel, of the National Congress of Parents and Teachers, and her organization, clearly favored creation of the department. Her stance was that the placing of all educational programs within one department would allow each program greater access to federal education. The increased student access would make programs such as nutrition and overseas dependent schools more responsive to the needs of parents and teachers across the country and overseas. Two specific concerns of Ms. Kimmel's organization were the nutrition program and overseas dependents' schools. If equal access of children overseas to those in the United States was afforded by the new department to education programs, Ms. Kimmel's organization was for ED.[34]

Department of Labor Programs

H.R. 2444 would transfer from the Department of Labor select programs funded under the authority of the Comprehensive Employment and Training Act (CETA). The CETA programs were debated in terms of whether or not they should be moved to the new department. The administration wanted these programs left out of the department because these programs established training programs for specific jobs or assisted in job development, not general education of the person. The objection by the administration to the transfer of these programs was a defensive exchange at the hearings. The administration's desire to keep a program out of the proposed organization was contrary to

its usual position. These programs did not deal with education of the child in the broad sense. The DOL programs were targeted for a population of job disadvantaged and were not regarded as education program. Some Congressmen saw the new department as an opportunity to consolidate the education of specific target groups under the existing processes and programs of the new department.

The special interests believed the transfer of CETA programs to ED was a good idea because the work related activities were considered by them as basically education. Coordination of programs would be controlled with less duplication. The two programs in question are: the High School Equivalency Program (HEP) and the College Assistance Migrant Program (CAMP). Both programs were formulated to increase employment opportunities for migrant and seasonal farm worker youth by increasing educational opportunity and support. The programs would be tied to the existing migrant education programs authorized under the Elementary and Secondary Education Act.[35]

Administration: The administration wanted CETA to remain within the Department of Labor based on the fact that the program was "technically complicated," and "unique." The argument for keeping CETA in DOL revolved around the fact that various titles of the CETA program included not only training but also a strong element of job creation and on-the-job training curricula.[36]

Most of the federal efforts to improve the employability of the working population are housed in the Departments of Labor and Health, Education, and Welfare. DOL's program are focused on disadvantaged groups and the hard-to-employ, whereas HEW's programs focus on the preparation of students for the world of work.[36]

Congress: Congressman Bill Ford liked the bill for its consolidation features. The proposed structure within the new department would also include under a single program director the DOL programs HEP and CAMP, and would also include the functions relating to education of Indians, Alaskan Natives and Aleuts plus a broadened plan to include migrants. The office would administer the functions relating to the

education of Indians, migrant youth would be organized in two divisions or bureaus since the needs of Indians and migrants are distinctly different. The recognition of the training needs of these two important minority groups by placing them in a principal office of the new department would provide the basis for a comprehensive federal assistance for all concerned.[37]

The existence of these programs in two different departments causes extensive duplication and administrative confusion--more so to the student than the personnel, though the personnel can become confused too. As an example, there was stated the case in Minnesota:

> ... in ... Minnesota where there currently exists a battle between vocational education officials and local communities in the Comprehensive Employment and Training Act. On one side of the highway sits a vocational education program run by the school. On the other side is a CETA training program. Both provide similar programs....Consolidation of these programs within a new department is fundamental to provide a forum for efficient cooperation of all services directed at preparing men and women for a productive role in our society.[38]

Special Interest Groups: There was strong support to transfer these training programs to the new department. While the overall goal of these programs is to give youths skill and experience to perform in the world of work, they have a strong educational component, particularly in the in-school projects created by these DOL programs. The youth training programs should be moved over to the new department in order that they may be coordinated with the existing vocational and career education programs which have the same target population but a different purpose for existence.[39]

With youth unemployment of general population above 16 percent and unemployment of minority youth higher at 40 percent, major problems exist in operating programs that proposed by training to make the transition from school to the world of work smooth.

> The point is that at times the Department of Labor has been almost in danger of creating a second school system rather than affecting a careful integration of its programs with the school system as it now exists.[40]

Opponents to the transfer of CETA programs to ED believed that the CETA programs should remain the Department of Labor where, "the necessary expertise and resource services to run them are effectively located." While a transfer to ED appears to be generally tidy on paper, the transferred programs often become unmanageable in the reality of operating the programs. Previous experience in shifting training programs into OE clearly pointed out that the highly trained OE staff were cognizant neither about the labor movement nor the dynamics surrounding labor oriented programs.[41]

Department of Housing and Urban Development (HUD) Programs

The program of HUD dealt with loans to institutions of higher education (IHE) for the specific purpose of the construction or the acquisition of housing and related facilities for the use of students and faculty of IHE's. The administration did not have much to say pro or con on the transfer of these program to the new department. At the hearings, Congressmen were not responsive either. Questions to clarify points being made were asked by Congressmen but no position could be ascertained from these questions. Special interest groups believed that the HUD programs were closely related to the Office of Education's Academic Facilities Program of loans and should be moved. Other special interest groups believed that the program of OE and HUD on facilities were related sufficiently that the programs should be moved to ED thereby removing duplication and enhancing coordination when a single department dealt with the same genre of institution facilities loans.

Administration: The single comment of the Administration on the transfer of the HUD program to ED follows. Under the new department, the college housing programs were merged with other heretofore small programs that had been,

"scattered in an invisible education establishment and (now) makes them visible and accountable."[42]

Congress: No comments of importance were found for the transfer of the HUD programs to ED.

Special Interest Groups: Title IV of the Housing Act of 1950 authorizes loans to colleges and universities at approximately 3 percent interest for the specific purpose of the construction or the acquisition of housing and related facilities for students and faculty. The college housing program offered two types of assistance. One is direct federal loans. The second is debt service grants to the private market loans. Grants ceased in 1974 when Congress rescinded the appropriation levels. Currently HUD is awarding new direct loans using funds from the repayment of previous HUD college loans as the source for new loan funds. HUD had requested that no new or additional funds be provided and no new appropriations have been requested.[43]

Because of the close relationship of the college housing program in HUD to facility programs in OE, many thought the consolidation of the HUD programs within the OE facility programs in ED would be wise. OE has successfully operated closely related programs for some years.

The OE programs deal with reconstruction and reconversion of facilities for reasons of efficiency, energy, health, safety, and accessibility of facilities to the handicapped. Since the reconstruction, reconversion and rehabilitation of buildings take place on the college and university campuses which fall under the responsibility of ED, the programs of facilities in HUD and elsewhere should be transferred to the new department.[44]

The HUD programs are related to the existing OE's Academic Facilities Program. The HUD housing program, when transferred, would bring the proportion of education facilities under ED control to 31 percent of the total facilities program in ED.[45]

National Science Foundation Programs

A lively debate surrounded the question of whether or not the programs of the National Science Foundation (NSF) should be moved to the new education organization. The programs targeted for transfer, located in the Science Education Directorate, NSF, included programs aimed at students and faculty in elementary and secondary schools and in research-oriented undergraduate institutions. The administration took the view that these science programs were educationally-oriented, though their subject was specific and not broad based. The administration spoke of the care being taken to not affect the remainder of the NSF and, therefore, suggested the removal of only the educationally-oriented science development programs. Congress, in the personage of Senator Kennedy, was adamant that the move not take place. The programs of the NSF Directorate were considered unique in mission and objective. While the output of the programs was the raw material used by schools and higher education institutions, the unusual relationship of the science researcher who developed the material at the NSF and the science community would be harmed by the incorporation of these science-oriented programs into a system headed by non-science decision- and policy-makers. Administrative treatment of these unusual programs would be disastrous. Special interest groups supported the view that science education judgments are better made by scientists, rather than by non-science program directors who do not fully understand the technical subject they are judging. Pressure was brought to prevent the movement of the Science Education Directorate to ED.

Administration: McIntyre assured Congress that science education would remain intact when moved to the new department.

The selected science education programs taken from NSF, in particular the Science Education Directorate, would include those aimed primarily at students and instructors in elementary and secondary schools and in research-oriented undergraduate institutions and would transfer as an intact unit to ED. The science and research mission of the NSF would not be affected, McIntyre assured Congress. Graduate level fellowships and most of the science programs for trainees could remain at the NSF.[46]

Congress: Senator Kennedy favored a new Department of Education as long as its configuration did not include the science education programs. Senator Kennedy supported his view with over 100 pages of supporting documents for the record-- letters and pamphlets citing the "unique" difference that surrounds a program administered by scientists with the quest for knowledge, in contrast to a program administered by the federal bureaucracy which has the goal of successful administrative operations to turn out an identifiable products on an annual basis. The documents which he supplied pointed out that science research and investigation cannot prosper and grow on a timetable. The science education program, he said, must not be put into the department.[47]

Special Interest Groups: The movement of science programs to the new department was opposed by the special interest groups. Against the transfer were Cleveland State University, the American Association for the Advancement of Science and the National Science Board.

Dr. Walter B. Waetjen, President of Cleveland State University, did not want to see the transfer of science education from the NSF to the new department. He believed that science education judgments should be made by scientists in terms of science rather than the opposite, that is, science educational judgments be made by educators in of what science should be taught.[48]

Dr. Arthur R. Livermore, head of the Office of Science Education in the American Association for the Advancement of Science, stated that a transfer of the NSF Science Directorate to ED would lead to the loss of the contacts between education and science. He was unconvinced that consolidating the varied educational activities in agencies other than OE in ED would improve the quality of education or the diversity of program distribution or access. Merging OE personnel, who are generalists, with the NSF personnel, who are specialists, would be an unhealthy match, he maintained.[49]

Dr. Grover E. Murray, Vice-Chairman of the National Science Board (NSB) stated that NSB had no position on the transfer of the education function to a new education

department. However, since the National Science Board considers science education an integral part of the NSF, the public interest would be served best by the science education programs remaining the responsibility of the NSF. Specifically he cited those programs where the educational process is directly dependent upon the research environment or is directly intertwined with research, and programs designed to train scientists and engineers as programs where the public interest is served best by NSF control and operation.[50]

Programs Within DHEW Targeted for Transfer to ED

Programs in DHEW targeted for a transfer to the proposed Department of Education are: Vocational Rehabilitation and Student Assistance Programs. Apart from OE, DHEW was not anxious to have valuable and visible programs moved from DHEW to OE where current DHEW personnel, recipients, and supporters would not have influence previously held in DHEW.

Vocational Education

At the time of the hearings, the Vocational Rehabilitation programs were housed in the Social Rehabilitative Service Administration (RSA), DHEW. This program was unique in the maneuvering surrounding the development of ED. The administration was not keen on the transfer of the programs to ED because such programs had to be embedded as part of a larger and more comprehensive effort. The administration believed that such comprehensiveness could not be found by attaching vocational rehabilitation programs to the new department.

Congress, on the other hand, favored the move. Senator Muriel Humphrey, serving out her late husband's term, put a rider on the debated bill to transfer Vocational Rehabilitation to ED, and given the emotional and moral feelings toward the late Senator, no one in Congress was going to oppose the move.

Special interest groups were divided; special interest groups like the NEA, American Coalition of Citizens With Disabilities, Inc (ACM), Council for Exceptional Children (CEC), and the National Rehabilitation Association (NRA) favored the move while other special interest groups believed that the complexities of the programs would cause more trouble than the programs were worth and wondered why such troublesome programs would be considered for incorporation into the new department. Still other special interest groups believed that vocational rehabilitation would be fine in the new department with change in the legislation wording being all that was needed. Each group was sure that its position was right in either wanting or not wanting the vocational rehabilitation programs in the new department.[51]

Administration: Senator Muriel Humphrey put forward an amendment to H.R. 13343, the bill being considered by the Senate to create ED, to include vocational rehabilitation in the new department. The amendment was approved unanimously. Muriel Humphrey was completing the term of her late husband, Hubert. Legislation suggested by her, often in the spirit of her recently departed humanitarian husband, were almost invincible to defeat. It would often prove impossible for opponents of such proposals to muster arguments to stem the tide of sentimentality and emotion. The administration could not surface sufficient arguments for not including the vocational rehabilitation programs in the new department.[52]

During early testimony, the administration was against the inclusion of vocational rehabilitation in the ED. McIntyre stated that vocational rehabilitation must be part of a "more comprehensive effort to develop comprehensive programs to deal with the problem of disability."[53]

Hale Champion, Under Secretary, DHEW, testified that vocational rehabilitation should not be included in the new department because, "the vocational rehabilitation program is not essentially an educational program." Champion stated that the wide

ranging services, including counseling, medical services, and medical and social disability triage provided to the families of the disabled were not educational in nature.[54]

Congress: Points to clarify statements by the Congressional Committee members were the only comments by Congress.

Special Interest Groups: Mr. Gene Bottoms, Executive Director of the American Vocational Association (AVA), said the AVA supported the creation of the new department and made suggestions for strengthening the bill. AVA advocated the establishment of the position of Assistant Secretary of Vocational Education, citing five reasons. First, the emphasis on education would be focused specifically on the programs related to the world of work rather than all education, which could give ED on unfocused view of education. Second, within the departmental status, the potential contributions of vocational education would reach more easily the table where the national policy makers sit. Third, an Assistant Secretary position in ED would provide leadership and provide focus for vocational and adult education programs. Fourth, at the present time more than any time before in our history, education is a person's link to work. An Assistant Secretary for Vocational Education would signal that education for work was a major emphasis in the new department. Fifth, an Assistant Secretary for Vocational Education would signal that vocational education was an equal partner with higher education and elementary and secondary education. Vocational education is a program that cuts across educational levels and institutional settings.[55]

The group in favor of Vocational rehabilitation being part of ED first outlined the advantages to moving the vocational rehabilitation programs to ED and then laid out rationale for such a move. To the proponent groups, vocational rehabilitation agencies are concerned with enabling handicapped individuals to prepare for and engage in employment. Education agencies are concerned with the overall life adjustment of young handicapped persons within their communities, including their ability to become employed. Placing educational rehabilitation under the same department organization which handles

the two other major federal programs serving the handicapped, that is, Public Law 94-142, education for all handicapped children and the vocational education of handicapped, will enhance the opportunity for cooperative arrangements for the delivery of services at the state and local levels.[56]

Vocational rehabilitation programs usually are implemented and controlled by the fifty state governments. As of 1979, vocational rehabilitation was administered under a Department of Human Resources or similar state agency in 17 states; by an independent commission in 12 states; and by some multi-programs in the remaining states. In more than 60% per cent of the states, the vocational rehabilitation functions are administered by human resources' departments. State departments of education administer Vocational Rehabilitation in no states. With the administration opposed to transferring vocational rehabilitation to ED and with the precedent of such a large percentage of existing rehabilitation programs functioning under human resources organizations and not education units, why was the language of the bill changed to include this vocational rehabilitation?[57]

The special interests quickly decimated arguments contending that the vocational rehabilitation programs are not compatible with the other education programs. The special interests reduced the arguments against the move of vocational rehabilitation through testimony such as a letter to the Committee reporting that in October, 1978, the Commissioner of Education and the Commissioner of Rehabilitative Services Administration signed a memorandum of agreement concerning "Collaboration Between Education and Vocational Rehabilitation Agencies," wherein it was clearly stated that education was a primary element of rehabilitative efforts; education and training were to be used to make the disabled employable. With this memorandum in the record, and other similar evidence submitted by special interest for the public record, the committee early leaned toward including the vocational rehabilitation programs in the new Department of Education.[58]

The wording of the bill creating a new department of education to mollify administration objections stated that the proposed federal structure of Vocational Rehabilitation in ED implied nothing for emulation by the States and that vocational Rehabilitation needed to have close ties with other federal programs in DHEW.

> the structure ... at the Federal level does nothing, implies nothing, mandates nothing with respect to what structure the individual States should adopt....

Further, is was made clear that it would be a mistake to...

> sever the important relationship between vocational rehabilitation and other programs which would remain in HEW....[59]

The programs which remained in DHEW and with which Vocational Rehabilitation has ties are the Social Security program, Supplemental Security Insurance (SSI) and the Disability Insurance (DI) program.

Health Professionals Programs

The myriad programs of assistance to students preparing for health professionals received little attention during the hearings. These programs provided loans mainly for the various health professions to students in higher education. The administration made a strong argument for moving all student assistance programs to the new department. In the new department, the student assistance programs could be united under one central set of loan processing which could include both housing loans to institutions (IBE's) and loans to individuals or students. Neither Congress nor the Special Interest made any comment.

Administration: The administration cited efficiency and economy as the primary reasons for the movement of student assistance programs into the new department. Centralizing student loans, for example, would offer several advantages: (1) Provide an organizational context for simplifying loan eligibility procedures; (2) Increase potential for reducing paperwork burdens on students and their families, as well as college and university administrators; (3) Substantially improve substantially federal collection efforts,

and debt deferral and forgiveness activities by reducing multiple billing agencies; (4) Allow reassessment of the present mix of allocation formulas and institutional application processes to prove improved integrity, clarity and equity for all student assistance.[60]

The student assistance programs had developed funding mechanisms which varied according to intent and agency routine, producing a hodgepodge of administrative requirements and regulations and preventing administrative coordination. Because each program has its own reporting requirements, which differed from program to program, a large and unnecessary increase in reporting requirements on individuals, institutions and governments resulted, adversely affecting the ability of the state and local agencies to administer the program. The confusion affects the participating populations because these populations sometimes cannot accurately predict their long-term need or liability.[61]

Congress: Congressmen on the Committee had no comments concerning this assortment of programs.

Special Interest Groups: The special interests did not comment on these programs as part of their prepared statements. Only the administration raised this issue.

New or Substantially Altered Programs

Interagency relations and intergovernmental relations are two important additions to the new education organization. In the creation of ED, emphasis was given to correct faults seen to exist in the old organization. These two programs were part of an effort to increase the feedback of the target populations through formal exchanges among persons in the various education groups in the field and among persons within the government bureaucracy itself. An increased interest and emphasis on the function of civil rights was seen as appropriate for ED with the large number of education programs that called for equal access and equal quality being guaranteed without regard to race or sex.

Interagency And Intergovernmental Relations

Two additions made in the House Subcommittee of the Committee on Government Operations and the Senate committee on Governmental Affairs to the H.R. 13343 and S. 210 creating the new Department of Education had the overall goal of opening up channels of communication both within the federal government, i.e., Federal Interagency Committee an Education (FICE) and outside the government with constituent groups, i.e., Intergovernmental Advisory Council on Education (IACE). These two special staff organizations replaced the National Council for Education Resarch, which could be considered a weaker counterpart of IACE in OE and DHEW. The debate about FICE and DHEW centered an the size of the groups, the numbers of organizations, agencies, or groups that should be represented, the length of the term a person should serve, the frequency of meetings, and the relationships of the advisory group to staff, number and place in the hierarchy of ED also was debated. FICE and IACE will be analyzed together as one organizational element. Both of these organizations have similar process functions. FICE and IACE coordinate information exchanges; FICE takes data from other federal agencies and relates it to current ED priorities. IACE takes raw field data and translates this data into useful information used by ED programs to access penetration, stability of program or other feedback purpose. Basically the FICE and IACE take data from a source outside of the ED and this data into inside communication and decision channels making it useable information.

Administration: By the early 1960's, in place of a unified and direct education policy, the nation had an amalgam of agricultural, defense, employment, and assorted programs with education components.[62]

Implementation of the FICE function and the corresponding authority would give the Secretary of Education the review authority over any federal regulations affecting college and universities, regardless of the agency which issues the

regulations, to assure that program regulations do not impose undue and unnecessary burdens of restrictions or paperwork on post-secondary institutions. This coordination authority would include the programs of federal student assistance in the Veterans Administration, the Social Security Administration, the National Institutes of Health, disability insurance, health services, crippled children's program, Title XX, the developmental disabilities program, Medicare and Medicaid, housing, transportation, labor, and related programs that serve disabled people as one target population.[63]

Resolution 13343 also created a twenty-member Intergovernmental Advisory Council on Education (IACE). These members are appointed by the President. Members were to be selected from each of four categories; six elected state and local officials, five representatives of public and private elementary and secondary education, five representatives of public and private post-secondary education, and four members of the public, including parents.[64] A concern for a civil rights representative was expressed; some sought a membership category for civil rights and related groups.[65]

Concern was raised that while the IACE and FICE would be run by a general purpose Assistant Secretary, the office was considered a "staff" office and therefore outside the usual day-to-day decision making process.[66]

Congress: Some criticism was leveled at the IACE. Representative William D. Ford stated:

> This council is loaded with so many responsibilities and so many categories of members that its primary function appears to be a security blanket for anyone who is uneasy about the representation of their particular interest in the new department. If a Secretary of the new department is not sensitive to the substantive issues and political forces in education, an advisory council will not remedy such a basic lack of intelligent leadership.[67]

Special Interest Groups: With FICE placed at Cabinet level, the status of FICE potentially would avoid the pitfalls of interagency groups which occur when lower level staffers are assigned to represent agency leaders. FICE, as previously constituted in OE,

was recognized as not accomplishing much. Persons of importance did not attend, and thus, accomplishing anything arose as a problem.[68]

House Resolution 13343 provided for FICE with the secretary of Education as Chairman (Section 213) to ensure higher-level representation from other federal agencies than had resulted from the Executive Order 11761, issued January 17, 1964, which originally authorized FICE and placed leadership with the Assistant Secretary of Education (DHEW). IACE would have a broad range of responsibilities, from providing a forum of discussion of education policies, to making regulations for improving the administration and operation of specific federal education programs. The IACE would make periodic studies and report to the Secretary on the issues and capacities, including areas targeted
for improvement.[69]

Both FICE and ICAE would be strengthened in the proposal for the new department in contrast to their previous administrative placement and operation. In ED, both FICE and ICAE would have a staff and budget independent of any unit in ED. Neither staff nor budget for FICE and ICAE would be lines in the Secretary of ED, the usual placement previously in DHEW. Furthermore, placing FICE and ICAE at the Secretary's level rather than an Assistant
Secretary level should assist in coordination of Federal
activities because attention is placed at a higher level of the hierarchy.[70]

The IACE's creation recognizes the pluralism of American education, and acknowledges that the responsibility for education has been and must remain primarily with state, local, and tribal governments, public and nonpublic institutions, communities, and families.[71]

IACE is the means by which those primary partners in education at all levels of government work together. IACE can work for the improvement of the weak and uncoordinated intergovernmental system that exists for developing and implementing

education policies. IACE, a constituency-oriented body, would be a primary conduit for channeling grass-roots information necessary for policy discussions to the Federal government at the Cabinet level. By changing ICAE reporting requirements from once every three years (triennial) to yearly or on a continuous basis ICAE would be made stronger. The recommendation for more frequent reporting by ICAE was to give the Secretary more recent information to pass on to the President, Congress, and program managers.[72]

To strengthen the role of FICE in Federal policy making, H.R. 13343 was to include "the Secretaries of all other Departments" in place of "representatives of all other departments."[73]

The addition of the other "Secretaries" would ensure discussion of issues at a higher level of the bureaucracy and would speed implementation by which recommendations would be implemented. The FICE sections of H.R. 13343 would end the ad hoc nature of the committee, making it a standing committee working full time on the problem of interagency coordination.[74]

Further strength for FICE would come from the requirement that interagency cooperative agreements be statutorily provided as a mechanism for ensuring the desired cooperation.[75] The creation of FICE gives the Secretary of Education stronger powers of coordination of all federal programs affecting education.[76]

Executive Order 11761 also authorized a coordination power. The specific language of H.R. 13343 specifically singled out the coordination of education programs providing the authority to: "study (and) make such recommendations as may be necessary to assure effective coordination of Federal programs affecting education." Recommendations were made to the Secretary of ED.[77]

Implementation language included in the Executive Order would give the Secretary the power needed to coordinate education programs not within part of the Department.

The Secretary would have the necessary authority to end some of the fragmentation caused by the absence of channels of communication and cooperation.[78]

> The heads of Federal agencies, as to their respective education related programs, shall:
>
> (1) Insofar as practical, take such actions as may be necessary to assure: (A) Conformity of their program with the educational goals and policies of the Nation, as identified by the Secretary, and (B) consistent administrative policies and practices Federal agencies in the conduct of similar programs;
>
> (2) Keep each other fully and currently informed in order to achieve coordinated planning and prevent unnecessary duplication of activities;
>
> (3) Provide information requested by the Secretary...on educational matters; and
>
> (4) Cooperate with the Secretary ... in the conduct of such studies and analyses as nay be necessary to carry out the responsibilities and duties assigned by this order. To this end the heads of Federal agencies shall maintain information on current and planned activities that can readily be analyzed in conjunction with information on related activities of other Federal agencies.[79]

The IACE alone was the mechanism by which "authorities" outside the federal system could have input into the federal decision making. The "junior partner", state and local entities, believed that a larger role should be made for them in the new organization than the role permitted for IACE in OE.[80]

The role of the IACE in DHEW and OE was advisory in terms of policy. In DHEW and OE, IACE was not charged with the development of recommendations. Since the primary function of ICAE in ED is the development of recommendations, an adjustment in wording of ICAE's role and function should be made: references to making recommendation should be removed and reworded to more clearly reflect IACE's policy studying role.[81]

Some felt the new IACE was structurally weak in the current legislation. The law was silent in suggesting methods as to how best involve and get valued input from the

"junior partners" of education. IACE, even though more prestigious and higher in organizational level, was a rehash of the IACE in OE, DHEW; no substantive change was made; only a facelift was accomplished. IACE was supported by the American Association of Colleges for Teacher Education, who also believed that lay, or nonprofessional, participation on the council would add to the goals laid out by the bill.[82]

Office of Civil Rights

Civil Rights and the OCR in DHEW had a disproportionate amount of time devoted to them at the hearings relative to the total number of programs covered by testimony. The Civil Rights function usually is a staff function and considered a standard process unit. In education, where billions of federal dollars are spent educating America's children, the concern of equality of quality and access cause this staff function to become a major program. Within the new department, Civil Rights would still have an office that dealt with internal civil rights problems, a standard process unit discussed above. The external civil rights process, ensuring equal access of minorities to education programs is a large and complex program. The administration proposed that 80% of the DHEW's OCR be to the new Department of Education. In the new department the OCR would have a dual role. One part of the OCR would involve enforcement and investigation. Another part of the OCR would concern itself with the internal responsibility of monitoring department wide civil rights programs. Congress wanted wording changes in H.R. 13343 that would ensure independence and non-interference from any dispute such as local boards, regional bureaucracies, or federal department pressure from investigations. Special interests groups wanted similar budgetary independence, increased status to heighten visibility, reports made direct to Congress and the President. Special interest groups wanted to correct past weaknesses and saw the move as a good opportunity to advance the role and mission of civil rights.

Administration: McIntyre proposed that 80 percent of the OCR, which would not have a dual role, be transferred to the new department. He said that a very high level of activity in terms of civil rights enforcement and investigation is related to education. First, the office must be able to raise issues relating to civil rights issues, like equal opportunity programs found in the day-to-day operations of ED. Second, the office must be able to enforce the statutes which prohibit discrimination because of sex, race, national origin, age and/or handicap. McIntyre emphasized that the success of those two mandates depended on careful organizational arrangements to insure efficiency and effectiveness, i. e., the director would be designated as assistant secretary who would report directly to the secretary. The director of the OCR could be assigned Executive Level IV status for pay purposes and be appointed by the President with the advice and consent of the Senate. The director would be vested with authority to enforce the statutes and have the staff to do the necessary data collection. From time to time he would report directly to Congress.[83]

Congress: Representative Leon E. Panetta expressed concern about the details regarding the inclusion of the OCR in the new organization-to-be. As a past director of such an office, Representative Panetta wanted to insure that the quasi-judicial powers of the OCR were protected when placed under the new Secretary.[84]

Representative Shirley Chisholm pushed her concerns; the new department as conceived had an "obvious inability to insure educational opportunity for all Americans through effective and efficient enforcement of the civil rights laws . . ." and the whole human services programs. Representative Chisholm returned to the theme during the 96th Congress's hearings, when she addressed her belief in a weakness in the department's ability to insure equal opportunities for all Americans through effective and efficient enforcement of education-related legislation. She detailed criticism of the racial makeup of OE at the Civil Service Executive level; there were not enough blacks to properly protect the needs of minority groups. Representative Chisholm saw a need at the executive level

for a more racial mix which, in turn, would offer a more sincere interest in achieving equal access to education than racial mix found at the executive level in OE.[85]

Special Interest Groups: Dr. Charles A. Lyons, Jr., Chancellor of Fayetteville State University in Fayetteville, North Carolina, and the President of the National Association for Equal Opportunity in Higher Education, said:

> We are pleased to support and endorse the proposed legislation to establish a Cabinet-level improving coordination and making for a more harmonious relationship between the Federal Government, on the one hand, and the State and local communities on the other. We are also persuaded by the argument that the new Department would promote greater efficiency in matters relating to education by ting layers of bureaucracy . . . with regard to the Office of Civil Rights, we hope that in a new department, that office would not be diminished in influence. We would like to see a great deal more attention paid to the area of international education and studies.[86]

Mr. Vernon E. Jordon, President of the National Urban League, supported the concept of ED because such an organization would improve the visibility of education issues and the quality of education in the United States; would provide needed coordination to federal education programs and would give more effective and efficient methods of operating federal education programs than OB. Furthermore, proper organization of the department, such as providing a correctly structured OCR, would go far to provide a strong and independent OCR. The Assistant Secretary of Civil Rights must be given authority to deal with the Congress and OCR must have contract authority separate from that of ED to remove the obstacle of red tape. A budget process separate from that of ED to allow the Assistant Secretary for Civil Rights to deal directly with the Congress to get the money needed to support OCR.[87]

Reverend Jesse L. Jackson, president of operation PUSH, endorsed the new department by saying:

> Education must be seen and then structurally and administratively institutionalized so as to make education important and a national focus and priority.[88]

Equal education opportunity must be guaranteed every citizen and much more emphasis must focus on parent, student and community involvement in the educational process. A Department of Education would enhance the visibility and status of education and related programs. PUSH's three primary concerns were: first, education must assume a higher national priority than that presently existing; second, equal educational opportunity must top the priority list as a reason for creating a new Department of Education; the proposed OCR was a next step in the right direction; third, the next most important issue affecting education is the isolation in which schools presently find themselves. Education, for too long, has been seen as the obligation of professional educators rather than the responsibility of the total community and thus education has become isolated and elitist.[89]

Ms. Phyllis McClure, Director of the Washington office of the National Association for the Advancement of Colored People (NAACP) Legal Defense and Educational Fund, expressed her concern for the civil rights implementation in the new Department of Education if personnel continued from OE.

> This department is likely to be run by the very people who have resisted an aggressive Federal role in providing equal educational opportunities.

Ms. McClure was unconvinced that a change of title from Director of the OCR to Assistant Secretary was sufficient to protect the independence and integrity of the enforcement process. To ensure that OCR is taken seriously and would have a preeminent role in federal participation in education, Ms. McClure insisted that several changes be made. First, the director would be appointed by the President, confirmed by the Senate and removed only by the President. Second, the director would be responsible to the secretary and be independently accountable to Congress. Third, the OCR would maintain and have secure its ability to collect data, control its own personnel, and its own

contracting operations. In conclusion, Ms. McClure said she believed that the proposed legislation could do more. H.R. 13343 could increase efforts outside the proposed legislation to strengthen other civil rights enforcement efforts. Ms. McClure did not believe that the sponsors made a case for how the reorganization would enhance educational opportunity for the children of America.[90]

Mr. Federico Pena, a staffer with the Chicano Education Project, expressed concern about the proposed transfer of the education-related activities of the OCR to the new department. Mr. Pena stated he represented local Chicano opinion rather than the national consensus as had the NAACP, et. al.:

> While this bill states purposes and principles in an admirable way, unless adequate implementation is provided in the language of the legislation, we are left with precept without practice.

He urged the independent functioning of the OCR and not the isolation of its functions. The strongest supporters of the current legislation were the same persons who as 'defendants' have day-to-day contact with OCR in complaint after complaint. The Chicano Education Project generally supported the legislation if the assurances outlined below were given. First, the OCR director would be appointed by the President and confirmed by the Senate and would suffer removal by the same route. Second, the director would report to Congress at least twice a year detailing OCR's enforcement activities. Third, any budget reductions threatening to the operations of OCR would be reported directly to Congress. Fourth, clear authorization to collect civil rights enforcement data would be specified. Fifth, adequate staff would be provided at all levels of the OCR enforcement process.[91]

Ms. Lucille Maurer, of the House of Delegates of Maryland, addressed the committee as a representative of the National Conference of State Legislatures and the Education Commission of the States (ECS). She urged that some new provisions be added, including "an office of civil rights responsible and accountable directly to the president."[92]

Intergovernmental Relations

Intergovernmental Relations was an issue with four of the groups in general support of the department: the Education Commission of The States, the Council of Chief State School Officers, the American Association of Colleges and Teachers Education and the National Student Association.

Mr. Henrik N. Dullea, Assistant Secretary for Education and the Arts to Governor Hugh L. Carey of New York and a member of ECS said that the ECS supported the establishment of a new Department of Education. However, the overwhelming concern of the States, and especially of elected general government officials, Mr. Dullea said, is that without strong safeguards to the contrary, establishment of a department might reinforce or institutionalize the current practice of federal education operations. Several practices needed to be strengthened. First, it is unclear whether intergovernmental relations are to be the only function of Assistant Secretary for Intergovernmental Relations -- Section 202 (d). The senior Department of Education official responsible for intergovernmental relations should be linked to, or even responsible for, the core planning, budgeting and decision making process of the department.

Second, the proposed bill continued the practice of confusing "intergovernmental relations" with broad "constituency relations." Intergovernmental relations should focus on governments and officials in governments; other means should be established for parental involvement in departmental affairs. Third, the existence of the Advisory Council could detract from, or even be confused with, the basic responsibilities of the department. IACE could quickly become a general advisory group having little or no connection with the function of intergovernmental relations. Fourth, ECS strongly supported efforts to improve coordination and administration of federal education programs. The major divisions of the department should reflect broad functional areas rather than the current

divisions reflected in the various federal categorical programs. Fifth, as policy, the federal government should specify the substantive objective to be achieved in a program of federal assistance, but should leave to the states the responsibility of establishing or designating, in accordance with the state, the state organizational structure to administer that assistance.[93]

The Council of Chief State School Officers, which had long resisted unwarranted federal intrusion into state and local responsibilities in education, held the viewpoint that recognition of the federal role would assist in developing a workable system of shared accountability in education. The Council suggested that the office of the Under Secretary of Education, supported by appropriate staffing provisions, be assigned the functions of the IACE. Experience at the state agency level with federally mandated councils had demonstrated that the staffing responsibilities of advisory councils should be assigned to the designated official rather than having a separate, legislatively mandated position, in this case, an executive director. The Council referred to Section 213 (c) (2) of the bill, which requires the President, in making appointments to the Advisory Council, to:

> Consult with various organizations representative of the groups specified in subparagraphs (A) and (D) or paragraph (1), including the National Governors Association, the National Conference of State Legislatures, the National Association of Counties, the National League of Cities, and the United States Conference of Mayors.

While the Council did not object to presidential consultation with these organizations, the Council did suggest that all groups, including the Council of Chief State School Officers, which would be entitled to be consulted, be included in the listing.[94]

Impact of Programs on ED Organization

Taken together the ten program discussed above made ED a large organization. While OE, NIE, and the offices of the

Assistant Secretary of Education would automatically be a part of the ED; the ten education programs transferred to ED contribute their programs and numbers to the all physical size of the ED. If size and number of programs are connoted as being the same as effective and efficient then it would be interesting to an education researcher to see "how effective" ED would be without any or all of these program.

Easy proxy measures are the overall number or programs, numbers of personnel and size of budgets. Looking at the ED with and without these elements of programs, personnel and budgets will enable the reader to gain possible insight as to the effectiveness of the organization as currently configured.

The ten program discussed above added significantly to the physical size of ED. The reduction of these programs lessens the effectiveness and efficiency of education programs and weakens general education leadership. There is no uniform criterion describing the standard characteristics of a program. With no standard program criterion, more precise measures must be used to get an idea of program size and effectiveness, personnel numbers and budget can help.

Personnel for ED totaled 16,397 authorized positions. This included 50 of the 72 supergrade positions wanted by McIntyre at the Congressional Hearings held in 1979. Specifically the personnel roster looks like this:

Contributing Organization	Positions	
OE, DHEW	4,200	
OCR, DHEW,		1,500
DOD, ODS		9,658
NSF		90
Special Institutions	1	
Health Professions, DHEW	40	
DOL		8
Migrant ED, DOL	2	
HUD		3
		16,397

While personnel is one indicator of program size, groups of programs show organization size, another indicator is budget size. The thirteen Cabinet-level departments have a combined budget of $500 billions. H.R. 2444 established ED with 150 separate programs with a 1979 budget of $13.5 billion, making it larger than five of thirteen Cabinet-level departments. Seven departments were larger, the largest being Health & Human services with $171 billion budgeted. The smallest department was Department of State with a $1.7 billion budget.[95]

Using budget figures as a guide to size, ED is sixth in the rank of thirteen; two less than half. As shown by the authorized personnel positions over half (58.9%) come from the Overseas Dependents' Schools. If the Overseas Dependents' Schools personnel is removed from the total, a different picture of the personnel sources emerges. OE and NIE supplied 4200 authorized positions. That is 67% of the transferred personnel, using a base number of 6739 positions. In either case, the bulk of the ED positions come from one source. This is not a balanced development for a department claimed to be broad-based in programs. Such a narrow base for personnel would indicate one of two things; the number of different education programs scattered among the federal agencies was exaggerated, or special interest groups were successful in keeping out some of the more important education related programs, for example, Head Start.

Specifically, ED budget figures of the different program categories break down as follows in fiscal year 1979. The total budget for education program considered for movement by H.R. 2444 was $13,441,707,000.00. The Education Division had $12,720,199,000.00 or 94% of the total. The remaining education programs from both outside the Education Division and outside of DHEW totaled only $396,608,000.00 or about 6% of the total budget. This reinforces the unbalanced appearance of the ED. The unbalanced budget indicates that either the education program numbers were overstated or the programs pulled together to the ED were small and not important.[96]

This chapter has reviewed in detail the transfer process. Each major education program has been traced from where the program originated to where the program was placed in the new organization. Only one education program was contested by the Administration, Vocational Rehabilitation. The other education programs were pushed by the Carter Administration for inclusion in the new department to a greater or lesser degree. In the final chapter the meaning and implications of these education program transfers will be reviewed.

Chapter V

Conclusions

Overview of the Study

Reorganizations in the private sector are lace; people move around; functions change, and contract as required by the demands of the marketplace. Reorganization in the public sector is not commonplace and especially a reorganization with so many different but related programs and is affected is rare. Sparse literature exists regarding the organization or reorganization of large department-sized public organizations.

The creation of ED was the thirteenth department added to the Cabinet. Only fragmented literature is available on other large department-sized reorganizations. This new department was not like other large public reorganizations. Whereas this new organization was made up of scattered, small, dependent programs added to the existing U. S. Office of Education, other similar reorganizations of public programs were dominated by large independent programs. The Department of Defense is one such organization. The Departments of Transportation, Energy and Housing and Urban Development had previously been semi-independent parts of other organizations before being reorganized in their current configurations and expanded into Cabinet departments. DHEW was an organization that when raised to a department level was comprised of programs mainly of the old Federal Security Agency. Analysis of the methods and structure of conducting the government education business reveals the federal role in education. This study began with the work done by Rufus Miles, A Cabinet Department of Education Analysis and Proposal and continued with a select array of public primary sources up to the unpublished internal document, "Implementation

Plan of May, 1980." Analysis using these documents predominately is appropriate for several reasons. First, organizational change of this magnitude is usually incremental and silent. The evolution of the Department of Education was anything but silent. Second, studied change is rare. An analysis of the reorganization of the education programs will be a distinctive addition to administrative management literature. Renowned scholars in the field, like Mosher, state that little relevant literature is available to the researcher on public organizations, as compared to commercial organizations.

Third, there is a chance to see the development or redevelopment of the rules surrounding this reorganization, in particular the rules and procedures used to create the Department of Education out of the educational programs available. The rules are simply the boundaries limiting what education programs would go into the new department, what would not be included, and what would be left for later decisions.

The rules are found primarily in the written protocols and procedures of the Congress, since the Congress is authorized to create or not create a proposed organization. While the internal rules guide the daily operations of Congress, the law allows Congress to create the education programs, set the formulas for the distribution of the money and say how much they can be spend on what. Awareness and insight as to what is considered and what is not considered important is seen in the agenda of speakers appearing before the various Congressional committees. For example, the Catholics developed a heavy mail campaign opposing ED, fearing the new department would be dominated by public school interests. Objections or support for the proposed department was voiced in Congressional hearings. Other interests feared ED because of the possible breakup of the coalition of education, labor,

and health groups. Interested parties such as these read the indicators and adhered to the rules as the parties assembled to influence the Congress on how to structure the proposed new department.

Fourth, this study looked at the developing trends and arguments for placing the educational program into a rational schema. Each interest group, whether federal or non-federal, had a clear idea of what the schema of the new Department of Education should be. Each of the competing groups developed a set of rules for establishing the best and most efficient program or department. Each interest group always arrayed the most cogent supportive rationale to bolster the particular view of their group as to what the department, when established, should look like.

President Carter undertook the creation of a new Department of Education because of his deeply entrenched old fashion faith in education; he had no specific educational program designed to reform education. He cited red tape, fragmentation, and the negative attitude of teachers, administrators and school board members as the underlying problem in education. Carter developed his specific strategy in light of the need of streamlining government and consolidating the scattered education programs. He believed that education should not have a broad bureaucratic base, but a narrow organizational base; thus he was convinced that the creation of this narrow based, single-purpose department would be a solid first step in the restoration of confidence in government and revive the tarnished image of education in America

Fifth, and finally, Gulick and his writings were used as the theoretic underpinning because both Rufus Miles and John McIntyre cited in their published study and internal

instruction memorandums, respectively. Gulick is useful at the large re-organization level used in ordering work in a hierarchical template familiar to all.

The American Council an Education had one type of department in mind, and the National Education Association had another different configuration in mind. The tendency to put programs into a rational schema, one that the goals and objectives of the sponsoring interest group, was a recurring story at the hearings. Understanding the nature of the interest groups that testified explained much of the r for their organization plan, and the configuration of the department each interest group sought. Opponents of the administration plans saw the new department as a check-writing operation. Any reorganization threatened existing coalitions by possibly diluting the shared power and influence built into the relationships over the years. Education organizations and educators wanted leadership and not domination; the difference between the two words is like comparing '"townhouse" with "rowhouse.". The needs and threats perceived by the educators depends on who is helped with "leadership" from the new department and who is harmed by "domination" from the new department. It is true that where you stand on an issue, depends to large measure on where you sit in one's organization or profession. Congressmen who opposed the new department could see only the same old thing (OE). In Carter's efforts to consolidate the education programs, the old organization and program configuration has not worked well at all so why should the new department work any better.

The Ten Programs

If the administration's claim that education was a national agenda item, then the important visible education programs operating in the federal system such as Indian Education, science

education program and the nutrition programs would naturally and obviously be in the new Department of Education. The new leadership to operate the education programs would go far in restoring the confidence of the American people in education and in the education community. Creation of a thirteenth seat at the Cabinet table displayed the importance of education at the federal executive level.

In evaluating the success of the administration in creating a Department of Education one has to e whether or not the process activities of education were improved and whether or not the content of the education programs changed for the better by being included in the new department. An improvement exists in either process or content if fragmentation is reduced, if visibility in the structural hierarchy is raised.

The process activity of the education programs is improved if the movement of the programs to ED gives rationality to the chain-of-command, does not unduly upset existing reporting channels, reduces some of the reporting requirements and streamlines select program reporting requirements. Further, programs managers would report to educators in ED; previously program managers reported to non-education managers in departments. The movement of programs to ED is seen as a way to purify the program mission by having programs dealing with education matters now reporting to educators- managers. While ED could not increase the amount of money being spent an education, the new configuration and shifted programs emphasis could change the shape of the way the money is spent. The process of moving the widely scattered education programs to a consolidated narrow, single-purpose agency could increase the focus on the budget allocation process. Narrow categories of education program rather than general aid to education was a process by-product of the

creation of ED. Using the above criteria, it is suggested that the seven education programs were improved in their process business.

The content changes can be measured by evaluating the improvements ending fragmentation, raising program status by its move up the organization chart, and by increasing its physical size relative to growth in personnel and growth in program responsibility. Overall, three programs made substantial content improvement by their movement to ED: Specific OE programs experienced substantial content improvement in their movement to ED. in this case the content focus of the office of Civil Rights, FICE , and IACE was substantially improved. For example, the Office of Civil Rights came to the new department with the ability to hire its own staff, authorization to report directly to the Secretary, and inherent provisions to also report directly to the Congress. The revitalized FICE and IACE do much to work with the growing influence of the teachers unions and other grass roots community organizations concerned about education issues.

Some programs lost ground in the creation of the department of education. The National Institute of Education, which was located at the third level in DHEW, was regulated to the fourth level in ED. The National Center for Education Statistics (NCES) lost ground; NCES a peer organization of the NIE in ED. The large loss of status and visibility from this new placement could create a precarious position in times of severe austerity for NCES.

Other losers are the Regional Offices. Programs, output and personnel in regional offices during large moves are always affected. During the moving of personnel around in the regional offices, the local regional office politics would be the determining factor in who would go with the new programs and how much "transition" budget and manyears could be peeled

off without the cental office necessarily knowing what had happened. The education functions in the scattered regional offices have yet to fully recover from the creation of a new department.

Minor Process Considerations

An aspect of the debates, trends and maneuvers to contribute to the configuration of the new department was the exchange revolving around a rationale presented for creation of the department by the Administration. Overall Carter had stated his wish to restore the confidence of the American people in education and to solve the issues that eroded this confidence. During the 1976 campaign Carter came to perceive the problem of education revolving around the issues of declining test scores, declining enrollments in school, lessening viability of small colleges, health of graduate education, the failure of the secondary schools and the weakness of the school-work transition. ED would ask tough questions and thereby stimulate society to think of innovative solutions. President Carter saw these issues as the agenda for education in the 1980's.

Opponents did not agree with the President. They saw the agenda for education as complete. For every issue, there was a program in existence to work toward a possible solution. Opponents saw in the move to create this narrow based education department as a consolidation of the same old education programs. There were no innovation or new programs involved. OE would be converted to ED. The new department would be made up of the same people, the same regulations, the same processes, and all held together by the same purposes.

Further, this breakup and reorganization would a broad based education coalition of health, education, welfare, labor, and other cooperating special interest. No, there was not enough new in the proposed department to engender much enthusiasm.

Some debate took place as to the number of senior executives and the amount of the transition cost. McIntyre, a good soldier for the President, laid solid foundations for the President's arguments for the department. In addition to the specific reasons for inclusion of some of the programs mentioned above, McIntyre lobbied to get all of the education related programs moved into the department. McIntyre was throwing out a wide net in order to get the large and substantial programs. He was also laying a theoretical base for consolidation in order to end fragmentation and increase efficiency of the scattered education programs. At the hearings the program from the Department of Labor not included in the administration's overall plans -- HEP and CAMP -- were added to the list. Also, the program from the Vocational Rehabilitation, DHEW, were added through the bill H.R. 13343. Since McIntyre already had committed himself to end fragmentation by consolidating education programs in the new department, he was caught in a dilemma by those wanting to include these programs. If McIntyre became adamant and refused the programs, he would be refuting his own argument. If McIntyre accepted the programs, he would be indicating poor staff work in identifying education programs. He accepted the Congressional pressure to add Vocational Rehabilitation to the new department.

McIntyre made a good case for an substantial increase in senior executives to head the new office and bureaus of the proposed department. McIntyre stated that the consolidation of these fragmented programs need the executive leadership of senior level executives. A close

look shows that the figures make sense in terms of the overall grades being talked about (General Schedule 17 and 18, the two top tiers of the Civil Service's Senior Executive Service). McIntyre produced charts that clearly indicated by comparison of the ED request with on-board strength of similar organizations. He made a case for covering the transition costs by utilizing savings made through the consolidation of the fragmented OE programs, NIE programs and the removal of support staff duplication. opponents required that the overall per ceiling for 1981 be reduced by 500 positions.

Since the administration did not develop an early strategy for getting the ED legislation around the issue of ensuring savings in reduction of personnel cost and related to the reorganization, discussions about increased numbers of senior executives and transition costs were peripheral. The probable result of the personnel increases strategy, if used in the preliminary meetings between Executive office staffs and legislative staffs, would have been a defeat of the proposed department in initial conferences. The main obstacle to overcome was the need to assemble enough education programs into a cohesive whole that would warrant a separate Cabinet-level department; any other approach was not even remotely feasible.

The only other tact that could have been used to push through the Administration's bill for the ED, would be to lobby for a new department for reasons of increasing the federal role in education. Any strategy to increase the federal role in education at the policy-making level would have been a disaster of historical proportions. Such a move would cause such a firestorm that no person would have escaped at least a singe. Some opponents had stated their concern that select elements of education would grow to dominate the new department, but all most special interest believed that the ED could not be dominated by one group or another

because all of the education special interest were watching like a circling hawk watching for any violation of local control. McIntyre had to develop solid that clearly showed the proper federal role in education: local control with federal aid. He met the issue head on and developed solid and wide ranging promises of assurance that the federal government had no desire to increase the federal role beyond what it already was. McIntyre reaffirmed this assurance in the language of the final legislation as a continuance of the promise that the federal role would not be expanded.

Overall, it can be suggested that the Department of education is organizationally adequate, but in detail ED, is an entity that cannot live up to its immediate full potential. The reasons for creation are good. The reasons used from the beginning--the ending of program fragmentation and inefficiencies–had a touch of what was needed to gather support for the development of a bill learning to the reorganization of the scattered and myriad education programs into a streamlined cogent whole. ED is a whole with clear objectives and purposes, having refinements of internal coordination (FICE), external assurances relative to compliance with the total array of program guidelines and applicants (OCR and IG), and newborn enthusiasm wrought among federal education professionals that would cause them to bond for the good of society. The cooperation of the three forces that evolved ED legislation shows great vision and style even though the overall legislative strategy was lacking in substance.

The legislative program of President Carter for a Department of Education was barely adequate. On the broad front too much of the political clout needed to shepherd this legislation through to fruition was not available. The political influences, or clout needed to swing votes to the ED legislation was composed of such elements as the favors, compromise, confident

leadership of the President, internal cohesion and singleness of purpose. The "clout" was spread woefully thin: few pieces of important legislation run the gauntlet of Congress without major alternations. The education legislation was no exception. President Carter's broad legislative program needed more clout than what was available to him. If President Carter had developed a less broad legislative program and submitted to Congress a more focused and narrow series of legislative proposals perhaps a stronger wording in some of the legislative sections of the education bill would have been supported by the Congress.

McIntyre and the Administrations's supporters spent an unusually large amount of time keeping the conference committees from diluting the legislation wording of the education bill. Worn down by the expenditure of extensive political clout in efforts to pass a series of broad legislative bills, the Administration could not overcome the targeted objections and alternations of either the Congress or the special interest groups, Programs identified as important to the goal of the Administration were defeated and not put into the final department configuration. Programs like Indian Education, National Science Foundation Directorate, Head Start, and Nutrition Programs, to name a few were left out of the final bill. Programs not identified by the administration as being primarily educational were added over the objections of the administration, like vocational Rehabilitation.

General Conclusions

Two major conclusions suggested by the data outlined above are: First, creation of a Cabinet-level department carries clout by being just what it is a Cabinet-level department. The increased visibility, closer proximity to the President, and the myriad education programs operating cohesively under department guidance will have important impact in the policy

making sessions. ED would provide an advocate at the highest level. Second, some specific process business and content business have been improved by the consolidation of heretofore scattered education program into one department. Shifts in the organizational placement of education programs did place similar single purpose program closer together allowing them to use same of the sane standard process units and thereby altering the method by which and the amount of education money distributed. In most cases moving education oriented programs out of organizations that had these program as a peripheral program element cannot but help improve the program. Creating ED could end professional isolation, stop the stepchild syndrome and possibly boost morale of the employees by being part of a large single-purpose group of related education program.

Implications

Creation of the Department of Education helped education status and prestige. The education programs have always been buried under one or two layers of bureaucracy in departments where education was a means to an end, not the end goal. Education programs have not been able to respond to constituent needs as freely as the programs may have wanted or to. with the creation of a separate department, some of the obstacles have been removed. The education function now has as high status and visibility as the other Cabinet level departments. With this status and visibility the problem often can now get the press and publicity they and sorely need.

Many of the important education programs were fought over in terms of whether or not they would be put in the new department. The movement for a new education department was not a grassroots effort: The movement was a well organized and heavily lobbied program

to create a change in the education process. Led by the American Council on Education and the administration, this active lobbying effort succeeded in having a new Cabinet level position created.

While substantial good has been done by heightening awareness of education problem and putting the problem of fragmentation of education programs in the limelight where they can be addressed and solved. Not all good came from the reorganization of the separate parts of education. Some programs were harmed; to the point that any austere years in the future could mean their demise as functioning programs.

Carter's new department did not in itself alter existing laws, programs or policies. Most of the effect will be on the bureaucratic structure and the number of personnel inhabiting that structure. Bureaucrats should love the new department for it made available fresh new ground for sowing seeds of new bureaucratic empires. The personnel transferred to the new department first, would work to establish for themselves larger fiefdoms among the newly consolidated education programs. The Secretary would have to struggle to clear time on her agenda for fresh thinking about education issues beyond management and politics of enforcing civil rights. Further, the Secretary would have to spread herself pretty thin to cover all the budget hearings for the education programs do not have a single committee assigned to debate the education budget. There is no single appropriations committee to evaluate the education budget. Education appropriations are still organized by several congressional committees organized along traditional jurisdictional lines. A lot of time will be lost delivering duplicate testimony.

One program in particular has suffered bureaucratic harm in its transfer to ED; the

National Center for Education Statistics (NCES). The NCES was an independent organization that did a specialized internal and external service of gathering and analyzing education statistics for short-term and long-term trends. With the creation of the department, NCES lost its independence and was moved under the Assistant Secretary for Educational Research and Improvement. While NCES has not dropped down a bureaucratic level with the reorganization, NCES has lost a degree of independence and now responds to its immediate supervising layer. The unique service provided by this once independent center of service for all the education programs an internal contract basis has been limited. Any shift affects the career mobility of the specialists and may result in an outward migration of people from the organization. Hopefully wise leadership will keep NCES viable and effective in its new location in ED.

President Carter's view of the place of education in American society prevailed. He envisioned that ED would conceptualize and energize a national reconstruction of the central role of education in society with the development of a less parochial educational system. A system that reaches out to construct new alliances with non-educational groups. By this his traditional faith in education would be restored. To Carter the 1980's would see the effects of improvement in the advancements of existing programs by the ED. Others believed that the forces that lobbied for or against the ED were captives of either their hopes or their fears. Some hoped for greater visibility and advocacy, others feared greater regulation, domination of strong education interest.

Overall, the feelings about the new department stretched along the continuum from moderate optimism to slight pessimism. The optimist believed that there would be more clout

in the process in the budget making. The pessimist believed that ED in its very existence would show the absence of new ideas. Ed was symbolic action: ED was symbol, or gesture. What that symbol means or whether or not the symbolic nature of ED would evolve into substance remains to be seen.

Recommendations for Further Study

A reorganization of this size is of interest to many special interests. The special interests were well organized and know what they wanted: the special interests spared little in the way of time and money to get their goals accomplished: a Department of Education which improves the standing of the special interest groups working within education. Negative suggestions for not creating the new organization were successfully blocked. While this study was limited to not exploring beyond the date of the creation of the department, there needs to be a study to follow-up on ED to see if some of the problems mentioned herein continued or changed the policies and/or operations of the department.

If a study would follow ED covering the department since may, 1980 or until its demise to confirm, refute, or critique the suggestions made herein, such a study could further refine the federal role in education by continuing to examine the education programs as they function in ED. Such a study benefit our knowledge about education and its supporting bureaucracy. This effort was designed is a small way to add the library of knowledge about education and reorganization.

End Notes

Chapter I

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92. Statement of Lucille Maurer, Member, House of Delegates, Maryland General Assembly, Representing National Conference of State Legislatures and Education Commission of the States, March 27, 1979. Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives on H.R. 2444. U.S. House of Representatives, First Session, 96th Congress, p. 260.

93. Statement of Henrick N. Dullea, Assistant Secretary to Governor Hugh L. Carey of New York for Education and the Arts. Hearings before the Committee on Governmental Affairs, United States Senate, on S. 210 and S. 510. U.S. Senate, First Session, 96th Congress, p. 66.

94. Statement of Dr. A. Craig Phillips, President, Council of Chief State School Officers and Superintendent of Public Instruction, State of North Carolina, February 6, 1979. Hearings before the Committee on Governmental Affairs, United States Senate, on S. 210 and S. 510. U.S. Senate, First Session, 96th Congress, pp. 35-46, 42.

95. Statement of James T. McIntyre, Director, OMB, March 26, 1979. Hearings before a Subcommittee of the Committee on Government Operations,

78. Saunders, ibid., p. 120.

79. Saunders, ibid., p. 120.

80. Statement of Dr. A. Craig Phillips, President, Council of Chief State School Officers and Superintendent of Public Instruction, State of North Carolina, February 6, 1979. Hearings before the Committee on Governmental Affairs, United States Senate, on S. 210 and S. 510. U.S. Senate, First Session, 96th Congress, pp. 49-50; statement of Ms. Lucille Maurer, Chair, National Conference of State Legislatures, February 6, 1979. Ibid., p. 59.

81. Statement of Ms. Linda Albert, President, New Jersey School Boards Association, representing National School Boards Association, February 6, 1979. Hearings before the Committee on Governmental Affairs, United States Senate, on S. 210 and S. 510. U.S. Senate, First Session, 96th Congress, pp. 71-72, 78-81.

82. Prepared statement of Ms. Joanne Goldsmith, Chairperson, Governmental Affairs Committee, National Association of States Boards of Education, February 6, 1979. Hearings before the Committee on Governmental Affairs, United States Senate, on S. 210 and S. 510. U.S. Senate, First Session, 96th Congress, pp. 88-89; Statement of J. T. Sandefur, Dean, College of Education, Western Kentucky University and President, American Association of Colleges for Teacher Education, February 7, 1979. Ibid., pp. 148-152.

83. Statement of James T. McIntyre, Jr., Director, OMB, August 1, 1978. Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives on H.R. 13343. U.S. House of Representatives, Second Session, 95th Congress, p. 401.

84. Statement of the Honorable Leon E. Panetta (D-CA), July 31, 1985. Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives on H.R. 13343. U.S. House of Representatives, Second Session, 95th Congress, pp. 258-259.

85. Statement of the Honorable Shirley Chisholm (D-NY), August 1, 1978. Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives on H.R. 13343. U.S. House of Representatives, Second Session, 95th Congress, pp. 278-379; and on March 27, 1979. Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives on H.R. 2444. U.S. House of Representatives, First Session, 96th Congress, pp. 174-174.

86. Statement of Dr. Charles A. Lyons, Jr., Chancellor of Fayetteville State University, February 6, 1979. Hearings before the Committee on Governmental

House of Representatives on H.R. 2444. U.S. House of Representatives, First Session, 96th Congress, pp. 79-83.

96. Additional material for the record supplied by James T. McIntyre, Director, Office of Management and Budget, March 26, 1979. Hearings before a Subcommittee of the Committee on Government Operations, House of Representatives on H.R. 2444. U.S. House of Representatives, First Session, 96th Congress, pp. 140-156.

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